

142-150 BRIGHTON AVENUE



(RAA) RESIDENCE ZONE - AA

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, April 6, 1957

PERMIT ISSUED
00880
MAY 22 1957
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~erect~~ alter ~~or~~ ~~rebuild~~ ~~or~~ ~~reconstruct~~ 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 146 Brighton Avenue Within Fire Limits? no Dist. No. _____
Owner's name and address Dr. Ira Stockwell, 146 Brighton Avenue Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Carroll Beck, 158 Westbrook St., So. Portland Telephone _____
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of building Dwelling and dentist's office No. families 2
Last use _____ No. families 1
Material frame _____ No. stories 2 1/2 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 600. Fee \$ 4.00

General Description of New Work

- To Change Use of building from 1 family dwelling and dentist's office to 2-family dwelling and dentist's office - 1 family in rear of first floor and 1-family on second floor.
- To partition off toilet room in dentist's office.
- To partition off laboratory and office 1st floor.
- To erect non-bearing partition across hall 1st floor as per plan.
- 2x3 studs, 16" O.C., sheetrock both sides
- To cut in new window for new toilet room.

Permit Issued with Letter

Appeal Sustained conditionally 5/18/57

This building was used for two families before 1947 but use was discontinued for at least 2 years thus constituting an abandonment of the use.

Appeal denied 5/16/57

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** Carroll Beck

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

Dr. Ira Stockwell

Dr. Ira Stockwell

Signature of owner By: _____

INSPECTION COPY

COPY



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

Issued to **Dr. Ira Stockwell**

Date of Issue **July 24, 1951**

This is to certify that the building, premises, or part thereof, indicated below, and ~~is~~ altered—changed as to use at **146 Brighton Avenue** under Building-Permit No. **51/880**, 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, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire Building

Limiting Conditions: Set by Board of Zoning Appeals, "dentist practicing in this building shall also maintain therein his principal residence".

This certificate supersedes certificate issued

Approved **7/10/51**

E. J. Smith
Inspector

APPROVED OCCUPANCY

2-family dwelling and dentist's office, accessory to one of the dwelling units.
First floor—one apartment, and accessory dentist's office.

Second floor—one apartment

Third floor—certain finished rooms used in connection with one or both dwelling units.

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. #1
Portland, Maine, June 25, 1951

PERMIT ISSUED
JUN 26 1951
CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 51/880 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 146 Brighton Avenue Within Fire Limits? no Dist. No. _____
 Owner's name and address Dr. Ira Stockwell, 146 Brighton Avenue Telephone _____
 Lessee's name and address _____ Telephone _____
 Contractor's name and address Carroll Beck, 158 Westbrook St., So. Portland Telephone _____
 Architect _____ Plans filed on original No. of sheets _____
 Proposed use of building Dwelling and dentist's office No. families 1
 Last use " " No. families _____
 Increased cost of work _____ Additional fee 1.00

Description of Proposed Work

To install mechanical ventilation for new toilet room.
 6" round pipe extending through outside wall and fan for ventilation
 (fan to be wired to the light in room which is operated outside of room)

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
 Height average grade to top of plate _____ Height average grade to highest point of roof _____
 Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
 Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
 Material of underpinning _____ Height _____ Thickness _____
 Kind of roof _____ Rise per foot _____ Roof covering _____
 No. of chimneys _____ Material of chimneys _____ of lining _____
 Framing lumber—Kind _____ Dressed or full size? _____
 Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
 Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
 Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
 On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
 Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

Approved:

Dr. Ira Stockwell

Signature of Owner By: *Ira Stockwell*

Approved: *6/26/51 [Signature]*
Inspector of Buildings

INSPECTION COPY

BP 146 Brighton Avenue-I
Amendment #1

June 8, 1951

Mr. Carroll Beck
158 Westbrook Street
South Portland, Maine
Dr. Ira Stockwell
146 Brighton Avenue

Gentlemen:

Amendment for changes in plan at 146 Brighton Avenue is approved and issued to the contractor, herewith, subject to the following:

The application for amendment reads in part: "To omit partitioning off of toilet room in dentist's office." It is an unimportant detail, but judging from the plan it appears that the partitions intended to set out new laboratory and office are the ones to be omitted.

The mechanical ventilation for the "inside" toilet room requires a separate permit from this department which is to be applied for by the actual installer and issuable only to him.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMCD/G



APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. 1
Portland, Maine, June 5, 1951

PERMIT ISSUED
JUN 8 1951
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 51/880 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 146 Brighton Avenue Within Fire Limits? no Dist. No.
Owner's name and address Dr. Ira Stockwell, 146 Brighton Avenue Telephone
Lessee's name and address Telephone
Contractor's name and address Carroll L. Beck, 158 Westbrook St., So. Portland Telephone
Architect Plans filed 3 No. of sheets 1
Proposed use of building dwelling and accessory dentist's office No. families 2
Last use " " " " No. families 1
Increased cost of work Additional fee \$25

Description of Proposed Work

- To omit partitioning off of toilet room in dentist's office.
To cut in door between front hall and dentist's office.
To erect non-bearing glass block partition across 1st floor hall instead of stud partition.
To erect glass block partitions to form toilet room, in dentist's office.
To provide duct and mechanical fan for ventilation of new toilet room.

Permit Issued with Letter

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
Forming lumber—Kind Dressed or full size?
Corner posts Sills Girt or ledger board? Size
Girders Size Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor, 2nd, 3rd, roof
On centers: 1st floor, 2nd, 3rd, roof
Maximum span: 1st floor, 2nd, 3rd, roof

Approved: Dr. Ira Stockwell
Signature of Owner by C. L. Beck

INSPECTION COPY Approved: Inspector of Buildings

AP 146 Brighton Avenue

May 22, 1951

Dr. Ira Stockwell
146 Brighton Avenue
Portland, Maine

Copy to, Mr. Carroll Beck
158 Westbrook Street
South Portland, Maine

Dear Dr. Stockwell:

The Zoning Appeal at 146 Brighton Avenue having been sustained conditionally, the building permit for alterations in first story and change of use to a two family dwelling is issued to Mr. Beck subject to the condition attached by the Board: "provided that the dentist practicing in this building shall also maintain therein his principal residence". The permit is also issued based on your interpretation of the plan filed with the application for the permit to the effect that the first story room with the fire place in it is to be the waiting room for your dentist's office, that the cool air existing between this room and the room directly in the rear of it, now to be used as a kitchen, is to remain as it is, the rear three rooms and bathroom on first floor to constitute the second dwelling unit in the building and all of the rooms in front of the first floor to be used as your dentist's office.

Will Mr. Beck, who is receiving a copy of this letter, see to it that the required notice is given to this office before any part of the new partitions is covered from view, all plumbing pipes and wiring to be later concealed to be in place and inspected by the proper inspector before that notice is given, and no part of the partitions to be covered until our green tag has been left at the job.

When all features controlled by the Building Code have been completed notice to this office is required for final inspection, whereupon, if everything is found in order, the certificate of occupancy for the two-family dwelling house will be issued without which it is not lawful to use the second dwelling unit for living quarters. If desired it is likely that the final inspection may be made at the same time as the closing-in inspection so that the apartment may be used that much earlier; or, since no physical changes are being made in the space to be used for the new dwelling unit we will make inspection of that area and other areas affecting it immediately, upon your request, with the thought that you may wish to have the new dwelling unit to be used for living quarters before the alterations in your office are made.

Very truly yours,

Inspector of Buildings

WMCB/P

Post
with
file copy

AP 246 Brighton Avenue,
Corner of Catherine Street-I

April 7, 1951

Dr. Ira W. Stockwell
146 Brighton Avenue
Portland, Maine

Copies to: Corporation Counsel

Mr. Carroll Beck, 158 Westbrook Street
South Portland, Maine

Dear Dr. Stockwell:

Building permit, for which Mr. Beck as your agent has applied, to cover alterations in your single family dwelling house at 146 Brighton Avenue and making a second dwelling unit on the basis that there would be one dwelling unit and the dentist's office accessory to your own living quarters in the first story and one dwelling unit on second floor, is not issuable under the Zoning Ordinance because the property is in a Residence AA Zone where, according to Section 13A of the Ordinance, a 2-family dwelling house is not included in the list of allowable uses.

It is true that this building was used for two dwelling units when the Zoning Ordinance was adopted in 1938 and for a number of years since, but some time ago the second apartment was discontinued, and the building has been used for only one family for a period of more than two years. According to Section 14C of the Ordinance, such a discontinuance constitutes an abandonment of the use, and such a building may only be used in conformity with the Ordinance unless some non-conforming use is authorized by the Board of Appeals after the usual appeal procedure.

Mr. Beck says that you desire to seek an exception from the Board of Appeals; so there is enclosed an outline of the appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WRM/D

Enclosure: Outline of appeal procedure

CITY OF PORTLAND, MAINE

Application for Permit to Install Wires

Permit No. 58209
 Issued 10/7/69
10/6/, 1969

Portland, Maine

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 Joe Stockwell, 146 Brighton Ave
 Contractor's Name and Address York Electrical Co Tel. _____

Location _____ Use of Building _____
 Number of Families _____ Apartments _____ Stores _____ Number of Stories _____
 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 _____ 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 _____ 19 _____ Ready to cover in _____ 19 _____
 Amount of Fee \$ 1.00 _____

Signed York Electrician

Change meter

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)

PERMIT TO INSTALL PLUMBING

12533
PERMIT NUMBER

Date Issued 3-1-63
PORTLAND PLUMBING INSPECTOR
 By J. P. Welch

Address 146 Brighton Avenue
 Installation For: Dr. Ira Stockwell
 Owner of Bldg. Dr. Ira Stockwell
 Owner's Address: 146 Brighton Avenue
 Plumber: Bill N. Iverson Date: 3-1-63

APPROVED FIRST INSPECTION	NEW		PROPOSED INSTALLATIONS	NUMBER	FEE
	NEW	REPL			
			SINKS		
	2	1	LAVATORIES	3	\$ 6.00
Date <u>Mar. 6, 1963</u>			TOILETS		
By <u>JOSEPH P. WELCH</u>	1		BATH TUBS	1	2.00
APPROVED FINAL INSPECTION			SHOWERS		
Date <u>Mar. 6, 1963</u>			DRAINS		
By <u>JOSEPH P. WELCH</u>			HOT WATER TANKS		
<input type="checkbox"/> TYPE OF BUILDING			TANKLESS WATER HEATERS		
<input type="checkbox"/> COMMERCIAL			GARBAGE GRINDERS		
<input type="checkbox"/> RESIDENTIAL			SEPTIC TANKS		
<input type="checkbox"/> SINGLE			HOUSE SEWERS		
<input type="checkbox"/> MULTI FAMILY			ROOF LEADERS (Conn. to house drain)		
<input type="checkbox"/> NEW CONSTRUCTION					
<input type="checkbox"/> REMODELING					

PORTLAND HEALTH DEPT. PLUMBING INSPECTION TOTAL ▶ \$ 8.00

PERMIT NUMBER 10783

Date Issued 4-1-55

PORTLAND PLUMBING INSPECTOR

By J. P. Reich

APPROVED FIRST INSPECTION

Date 6/8/55

By W.B.B.

APPROVED FINAL INSPECTION

Date 6/16/55

By W.B.B.

TYPE OF BUILDING

- COMMERCIAL
- RESIDENTIAL
- SINGLE
- MULTI FAMILY
- NEW CONSTRUCTION
- REMODELING

JM 12-53

PORTLAND HEALTH DEPT.

PERMIT TO INSTALL PLUMBING

Address: 140 Brighton Ave.

Installation For:

Owner of Bldg.: Dr. Ira W. Stockwell

Owner's Address: Same

Plumber: Portland Gas Light Co. Date: 4-1-55

NEW	REP'L	PROPOSED INSTALLATIONS	
		NUMBER	FEE
		SINKS	
		LAVATORIES	
		TOILETS	
		BATH TUBS	
		SHOWERS	
		DRAINS	
1		HOT WATER TANKS - 30 gal. Water Heater	1.00
		TANKLESS WATER HEATERS	
		GARBAGE GRINDERS	
		SEPTIC TANKS	
		HOUSE SEWERS	
		ROOF LEADERS (conn. to house drain)	
			Total \$1.00

PLUMBING INSPECTION

R3 RESIDENCE ZONE



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, March 19, 1963

PERMIT ISSUED
MAR 19 1963
00213
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 146 Brighton Ave. Within Fire Limits? _____ Dist. No. _____
Owner's name and address Dr. Ira W Stockwell, 146 Brighton Ave. Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address E G Johnson Company 3 Cliff St. Telephone 3-1630
Architect _____ Specifications _____ Plans no No. of sheets _____
Proposed use of building Dwelling & Dentist Office No. families 1
Last use _____ " " " " No. families _____
Material frame _____ No. stories 2 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$100.00 Fee \$ 2.00

General Description of New Work

To change out existing side window from 2 1/2' x 4 1/2' to 2 1/2' x 2 1/2'.
To fill existing door and window opening with glass block.
front of dwelling.

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 _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
Framing Lumber—Kind _____ Dressed or full size? _____ Corner posts _____ Sills _____
Size Girder _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____
If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot _____, to be accommodated _____ number commercial cars to be accommodated _____
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? _____

APPROVED:

C.N. 3/19/63-agg

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

Dr. Ira W Stockwell
E G Johnson Company

CS 301

INSPECTION COPY

Signature of owner by: E G Johnson



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, Oct. 29, 1954

PERMIT ISSUED

OCT 29 1954

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 146 Brighton Ave. Use of Building 2-family dwelling, No. Stories 2, New Building and dentist's office Existing "
Name and address of owner of appliance Dr. Ira Stockwell, 146 Brighton Ave.
Installer's name and address A. E. Moody, 479 Auburn St. Telephone 2-0072

General Description of Work

To install gravity hot water boiler (replacement)

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 40"
From top of smoke pipe over 15" From front of appliance over 4" From sides or back of appliance over 3'
Size of chimney flue 8x12 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 by others

Name and type of burner Labelled by underwriters' laboratories?
Will operator be always in attendance? Does oil supply line feed from bottom of tank?
Type of floor beneath burner Size of vent pipe
Location of oil storage Number and capacity of tanks
Low water shut off Make No.
Will all tanks be more than five feet from any flame? 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 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

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:

Handwritten signature and permit number 10-2957

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

INSPECTION COPY

Signature of Installer

Handwritten signature of installer

C17-234-1M MARKS



APPLICATION FOR AMENDMENT TO PERMIT

Amendment No. 1
Portland, Maine, Nov. 10, 1953

PERMIT ISSUED
NOV 13 1953
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for amendment to Permit No. 53/2074... 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 146 Brighton Ave. Within Fire Limits? no Dist. No. _____
Owner's name and address Dr. Ira Stockwell, 146 Brighton Ave. Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Carroll L. Beck, 158 Westbrook St., So. Portland Telephone 4-4841
Architect _____ Plans filed yes No. of sheets 1
Proposed use of building dwelling and dentist's office and garage No. families 1
Last use _____ " " " " No. families 2
Increased cost of work _____ Additional fee 50

Description of Proposed Work

To change size of I-beam where partition is to be removed as per plan.

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
Height average grade to top of plate _____ Height average grade to highest point of roof _____
Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____ cellar _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____
Framing lumber—Kind _____ Dressed or full size? _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Girders _____ Size _____ Columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

Approved: C.N. - 11/13/53 - C.J.S.

Signature of Owner BY: Dr. Ira Stockwell

INSPECTION COPY

Approved: 11/13/53 W.M.F.
Inspector of Buildings



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
Portland, Maine, Nov. 3, 1953

PERMIT ISSUED
020,74
NOV 5 1953
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~erect~~ alter ~~existing~~ buildings and the following building ~~structure~~ ~~work~~ 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 146 Brighton Ave. Within Fire Limits? no Dist. No. _____
Owner's name and address Dr. Ira Stockwell, 146 Brighton Ave. Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address Carroll L. Beck, 158 Westbrook St., So. Portland Telephone 4-4841
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of building dwelling and dentist's office and garage No. families 2
Last use _____ " " " " No. families 2
Material wood No. stories 2 1/2 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 3,000. Fee \$ 5.00

General Description of New Work

To rearrange non-bearing partitions in first story as per plan.
To make alterations in rear hall at second floor level as per plan. 4x12 HARD PINE
To change two garage doors to one overhead 15' wide door and provide ~~4x12~~

By _____

CERTIFICATE OF OCCUPANCY
REQUIREMENT (M.V.S.)

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** Carroll L. Beck

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 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:

with letter by [Signature]

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

Dr. Ira Stockwell

INSPECTION COPY

Signature of owner by: [Signature]

NOTES

11/30/53 - Permission to alter in respect
around window on Katherin St with
which needs a fire ladder at least
w/gm

12.2.53 - Permission to close
in around window in Mansel
for further inspection w/gm

12 2
Permit No. 53/2074

Location 146 Brighton Ave

Owner Mr. Carl Stuckwell

Date of permit 11/5/53

Notif. closing-in 11/27/53

Inspn. closing-in 11/30/53 w/gm

Final Notif.

Final Inspn. 12/2/53 w/gm

Cert. of Occupancy issued

Staking Out Notice

Form Check Notice

AP 146 Brighton Ave.

November 5, 1953

Dr. Ira Stockwell
146 Brighton Ave.,

Copy to: Mr. Carroll L. Beck
158 Westbrook St.
South Portland, Me.

Dear Dr. Stockwell:

We are issuing herewith to Mr. Beck, your contractor, a building permit for alterations in your dwelling at 146 Brighton Ave. based on the plan which he filed with the application for permit. As we understand the proposition, the rooms in the first story at the rear of your dentist's office and formerly occupied as a separate apartment are to be altered so as to be included with your own living quarters in the second story of the building. This will thus change the use of the building from dentist's office and two apartments to dentist's office and one apartment.

Abandonment of the second apartment now in the building, which was granted by appeal several years ago, constitutes a change in use of the building. The new use proposed is conforming and allowable in the RMA Zone where the property is located only if the dentist's office is to be used by the occupant of the living quarters in the building, which we understand is to be the case.

As soon as all essential details of the alterations have been completed, notification is to be given this department for a final inspection so that, if everything is found in order, a certificate of occupancy for the new use can be issued. Notification for a "closing-in" inspection is also needed before any of the framing of the alteration work is closed from view by lath or wall board.

Very truly yours,

Warren McDonald
Inspector of Buildings

AJS/B

P. S. As I am signing the above letter and in view of our former talks about this building, I would like to feel sure that you have an understanding of what the situation will be after this change is made. If the building is now changed so that there is only one dwelling unit in it and the office of a resident dentist, it will then be in conformity with the Zoning Ordinance in the single residence zone, and it appears that the building would have lost its rights as a two family dwelling.

No doubt this enlarged room in first story conforms with the Zoning Ordinance if used only as a use commonly accessory to the apartment. Perhaps you will not misunderstand if I suggest that this large room under Building Code standards can accommodate a considerable number of persons. Though they would be assembled in a private home, it is suggested that you see to it that the rear door toward Catherine St. and the door in this large room to the office be equipped with such hardware that they can never be locked against persons on the inside opening doors quickly to reach a place of safety in case of need.

INQUIRY BLANK

ZONE RAA

FIRE DIST. _____

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Date March 13, 1952

Verbal
By ~~Telephone~~

LOCATION 146 Brighton Avenue OWNER Dr. Ira Stockwell

MADE BY Dr. Ira Stockwell TEL. _____

ADDRESS 146 Brighton Avenue, corner of Catherine Street

PRESENT USE OF BUILDING Dwelling and Dentist's Office

CLASS OF CONSTRUCTION _____ NO. OF STORIES _____

REMARKS: Dr. Stockwell now owns, besides the corner lot where his dwelling is at 146 Brighton Avenue, corner of Catherine Street, the two lots between that corner lot and Dartmouth Street. He is considering building a single family house on the lot at 154-156 Brighton Avenue, corner of Dartmouth.

INQUIRY: Question No. 1. Can a single family dwelling house be built at 154, 156 Brighton Ave?

Question No. 2. Having built this new house, could he live in it and still maintain his dentist office, where he now lives, at 146 Brighton Ave?

ANSWER: Answer No. 1. Yes, the requirements of the Building Code would be observed and the location of the new dwelling to be subject to space requirements of the Zoning Ordinance.

Answer No. 2. No. If he moves out of the house at 146 Brighton Ave., his dentist's office there could not then be accessory to the dwelling house use. It would automatically become a non-conforming use in the RAA Zone where it is located - therefore not allowable.

DATE OF REPLY March 13, 1952 REPLY BY WMcD

INQUIRY BLANK

ZONE RAA

FIRE DIST. _____

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

Date March 16, 1953

Verbal
By Telephone

LOCATION 146 Brighton Ave. OWNER Dr. Ira Stockwell
TEL. _____

MADE BY Dr. Ira Stockwell
ADDRESS 146 Brighton Ave. NO. STORIES _____

PRESENT USE OF BUILDING _____ CLASS CONSTRUCTION _____

LAST USE OF BUILDING _____

REMARKS _____

INQUIRY A question of re-arranging of apartments in the dwelling at 146 Brighton Ave. as per letter of December 17th, 1952.

ANSWER Answer by letter of March 16, 1953 by W McD.

DATE OF REPLY March 16, 1953 REPLY BY W McD

38

Inq. 146 Brighton Ave.

March 16, 1953

Dr. Ira W. Stockwell
146 Brighton Ave.
Portland, Maine

Dear Dr. Stockwell:-

Your thoughtfulness in writing your inquiry about some re-arrangement of apartments at 146 Brighton Ave. is much appreciated, and I regret very much that the answer has been delayed so long due to the pressure of work in this department which seems to be a chronic condition.

Your inquiry seems to be divided into two parts - whether or not your own family could move to the first floor, leaving your dentist's office the same as now in the first story, and renting the apartment which your family now occupies to others as a single apartment; making some structural changes on the first floor such as bay windows, a new garage etc.

The exchange of living quarters is allowable under the Zoning Ordinance, although from examination of your last plan filed here, it would appear that your own dwelling unit would be quite limited unless a part of your office suite were taken over, which would be allowable.

Construction of new bay windows or anything else that would increase the cubical volume of the building within the outside wall would not be allowable under the Zoning Ordinance as far as our authority to issue a permit direct is concerned. Your dwelling is in a Residence AA Zone (generally known as single residence) so that the two-family dwelling granted by the Board of Appeals on May 18th, 1951 is actually a conforming use. The Zoning Ordinance provides in Sect. 14A that a conforming building shall be increased in volume.

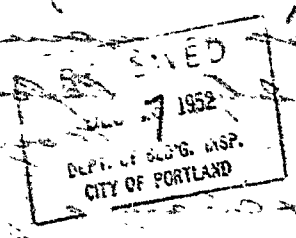
There might be limitations on the construction of a new building depending upon the capacity in cars, the height of building proper and the location. I believe you own a separate lot beside the one on which your dwelling house is located. The Zoning Ordinance would not allow the construction of a new garage wholly on this vacant lot, even though you own both of them, though perhaps the garage could be built on the line dividing the two lots. If you want to inquire further into the garage proposition, please furnish an accurate sketch showing information about these questionable features.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMcD/G

James McDonald
Building Inspector
City of Portland
17/52



Dear Mr. McDonald.

Some time ago I discussed the idea with you of a separate building on my lot. The idea has presented some disadvantages relative to building statutes. I would now like to get your opinion on an alternative plan.

We have, as you no doubt recall, through appeal, gained sanction for a two family and detached office arrangement — that which we have now.

Is there anything in the building codes against us moving to the first floor and putting the tenants on the second? The office would be in the same place.

We have in mind various structural changes on the first floor which our contractor tells us is not in violation such as bay windows, a new garage etc. We will apply for this permit thru the customary channels when we

are ready to begin construction
It would assist us, however, --
to gain your opinion as to
legality, before we start making
plans. Roughly we merely wish
to exchange positions with the
tenants -- plus making a
few structural changes below.

I am writing rather than
calling you to facilitate your
experience -- as I realize
you are a busy man and these
matters sometimes require some
thought and consideration.

Sincerely

Frederic W. Stebbins

City of Portland, Maine
Board of Appeals

—ZONING—

May 8, 1951

*Sustained
Conditionally
5/18/51*

5/14/51

To the Board of Appeals:

Your appellant, Ira W. Stockwell, who is the owner of property at 146 Brighton Avenue, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit to cover alterations in dwelling at 146 Brighton Avenue to provide a second dwelling unit therein so that there will be the dentist's office in the first story and an apartment and a second apartment on the second floor is not issuable under the Zoning Ordinance because this property is located in a Residence AA 7-7a, where such a use is not allowable.

This building was used as a two-family dwelling in 1938 when the Zoning Ordinance was adopted. However, the second apartment has been discontinued for more than two years, which constitutes an abandonment of this use.

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

An exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Ira W. Stockwell

By *Ira W. Stockwell*
Appellant Attorney

After public hearing held on the 18th day of May, 1951,

the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance, provided that the dentist practicing in this building shall also maintain therein his principal residence.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case; provided that the dentist practicing in this building shall also maintain therein his principal residence.

Helen C. Frost
Robert W. ...
John W. Lake
William H. O'Brien
BOARD OF APPEALS

DATE: May 18, 1951

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF IRA W. STOCKWELL

AT 146 Brighton Avenue

Cont'd. Public hearing on above appeal was held before the Zoning Board of Appeals.

Board of Appeals

VOTE

Municipal Officers

	Yes	No
Mrs. Frost	(x)	()
Mr. Getchell	(x)	()
Mr. Lake	(x)	()
Mr. Luthe	(x)	()
Mr. O'Brien	(x)	()
	()	()
	()	()
	()	()
	()	()

PROVIDED THAT THE DENTIST PRACTICING IN THIS
BUILDING SHALL ALSO MAINTAIN THEREIN HIS
PRINCIPAL RESIDENCE.

Record of Hearing:

Doctor Stockwell and Wallace J. Campbell, Attorney and letters in file

Opposed:

Jesse Rosenberg
Fred V. Gabbi, 136-146 William Street
Leo Wine, 233-240 Dartmouth Street
See petition in file

7

ADELBERT L. MILES
ATTORNEY AT LAW
418 CONGRESS BUILDING
PORTLAND, - MAINE

May 16, 1951

Portland City Council
Portland, Maine

Gentlemen:

We are the owners of the house at No. 141 William Street on the corner of Brighton Avenue and almost directly across the street from Dr. Stockwell's property at 146 Brighton Avenue.

We have no objection whatsoever to the granting of an exception to the zoning ordinance relating to Dr. Stockwell's property. The house is a very large one and at the time we moved here it was a two family house. We can conceive of no valid objection to its reverting to that status.

Lucia H. Miles
Adelbert L. Miles
Robert K. Miles

IRVING N. HORNE

State Distributor for Chester-King

125 BRIGHAM ST.

PORTLAND, - MAINE

May 14-57

Portland City Council
Portland, Me.

Dear Sirs:
I have no objection to Dr. Stubbins
appeal.

Yours truly,
Irving N. Horne

May 16, 1951

City Council
City of Portland
Portland, Me.

Gentlemen,

My residence on Catherine Street is
two houses below the residence of Dr.
Stockwell and I have absolutely no objections
to the Doctor's plan.

Mary C. G. Foley

wee

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

May 8, 1951

TO WHOM IT MAY CONCERN:

The Board of Appeals will consider again the appeal of Ira W. Stockwell requesting exception to the Zoning Ordinance relating to property owned by him at 146 Brighton Avenue at the public hearing to be held in the Council Chamber, City Hall, Portland, Maine on Friday, May 18, 1951 at 10:50 a. m.

This reconsideration is at the request of a member of the Board of Appeals, and this notice is being forwarded to those who received notice of the previous hearing, so that they may be informed of the reconsideration.

It is not expected that any new evidence will be presented at this hearing, and that the Board will act on the information presented at the hearing on May 4, 1951.

BOARD OF APPEALS

Helen C. Frost

Chairman

M

*I am very definitely in favor of this request
being granted to Dr. Stockwell -*

*Mrs. Walter F. W. Hay
149 Brighton Ave.
(Alice H. Hay)*

TO THE BOARD OF APPEALS
OF THE CITY COUNCIL OF
PORTLAND, MAINE.

Re: Hearing of May 18, 1951.

We, the undersigned, owners of real estate in Portland, Maine, within the area, under the zoning law, affected by the proposed change in the zoning ordinance relating to the property at 146 Brighton Avenue, corner of Catherine Street, Portland, Maine do hereby request that the application for permission for such change be denied.

Our objection is not superficial nor through any desire to be unneighborly but is based upon our desire to guard against a deterioration of residential values in the most restricted zone under the classifications of the zoning law of the City of Portland, Maine.

We are certain that it will change the character of the neighborhood with the consequent depreciation in the value of our own property.

We, therefore, feel that our rights, which we thought were practically vested rights under the zoning law, should not be cast aside to the injury of a large number of residential property owners.

Respectfully submitted,

✓ Mary B. Hansen 2-8 Catherine St.
Mary B. Hansen 136-138 Brighton Ave
✓ George Magles 12 Catherine St.
✓ Jess M. Veenberg 20-22 Catherine St.
✓ Jacob Silverman 30-32 Catherine St.
✓ Frances Krantman 13-17 Catherine St.
- Marie Block 23-25 Catherine St.
- Frances E. Block 23-25 Catherine St.
✓ Dora Wine - 238-240 - Dartmouth St.
✓ Etta Larsson - 246 - 250 Dartmouth St.

R. Etta Goldberg 307-32 Sheffield St
 Helene 242-244 Dartmouth St.
 Heinz Jacobstein 24-28 Sheffield St.
 Anne Modes 191 Dartmouth Street
 ? Julius Bienen 137-143 William St
 Robert Mack 119-123 William St.
 Samuel H. Whitney 103-113 Brighton Ave
 Lillian Barnstone 189 Dartmouth
 St John's Apts - 502-570 St John St By Leo Galoditzky
 " " " 536-578 " " " By Leo Galoditzky
 " " " 572-598 " " " By Leo Galoditzky
 Portland Wood Hair By William Goodman Bros
 53-55 Kenwood Street
 Max Kaplan - 148-150 Myrtle St.
 Mrs Joseph Mack 128-130 Poplar St
 Kate M. Jasto 130-134 William Street
 W. Murray 57 Kenwood St.
 Alice A. Mashey 35-37 Sheffield St

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

May 8, 1951

TO WHOM IT MAY CONCERN:

The Board of Appeals will consider again the appeal of Ira W. Stockwell requesting exception to the Zoning Ordinance relating to property owned by him at 146 Brighton Avenue at the public hearing to be held in the Council Chamber, City Hall, Portland, Maine on Friday, May 18, 1951 at 10:30 a. m.

This reconsideration is at the request of a member of the Board of Appeals, and this notice is being forwarded to those who received notice of the previous hearing, so that they may be informed of the reconsideration.

It is not expected that any new evidence will be presented at this hearing, and that the Board will act on the information presented at the hearing on May 4, 1951.

BOARD OF APPEALS

Helen C. Frost

Chairman

M

City of Portland, Maine
Board of Appeals

*Denied
5/4/51*

—ZONING—

April 9, 19 51

5/31

To the Board of Appeals:

Your appellant, Ira W. Stockwell, who is the owner of property at 146 Brighton Avenue, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 18, Paragraph E of said Zoning Ordinance.

Building permit to cover alterations in single family dwelling house at 146 Brighton Avenue and making a second dwelling unit in that there would be one dwelling unit and the dentist's office in the first story and one dwelling unit on the second floor is not issuable under the Zoning Ordinance because this property is in a Residence AA Zone where a 2-family dwelling house is not an allowable use.

This building was used for two dwelling units in 1938 when the Zoning Ordinance was adopted. However, the second apartment has been discontinued for a period of more than two years and, according to Section 14C of the Ordinance, such a discontinuance constitutes an abandonment of the use.

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

An exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can ~~not~~ be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Ira W. Stockwell
Appellant

After public hearing held on the 4th day of May, 19 51,
~~the Board of Appeals finds that an exception is~~

In order to grant an exception to the Zoning Ordinance the vote of the Board of Appeals must be unanimous, and, therefore, this appeal must be denied since the vote was as follows:

IN FAVOR
Mrs. Frost, Mr. Getchell,
Mr. Lake, and Mr. Luthe

OPPOSED
Mr. O'Brien

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

Helen C. Frost
Chairman, Board of Appeals

BOARD OF APPEALS

DATE: May 4, 1951

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF IRA W. STOCKWELL

AT 146 Brighton Avenue

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

<u>Board of Appeals</u>	<u>VOTE</u>		<u>Municipal Officers</u>
	Yes	No	
Mrs. Frost	(x)	()	
Mr. Getchell	(x)	()	
Mr. Lake	(x)	()	
Mr. O'Brien	()	(x)	
Mr. Luthé	(x)	()	
	()	()	
	()	()	
	()	()	

Record of Hearing:

Dr. Stockwell, pro se
and Mrs. Morton - Dartmouth Street
Mrs. Ling, Dartmouth Street
Mrs. Hanson, Catherine Street

Opposed: Jesse Rosenberg
Mark Krantman

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

April 24, 1951

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, May 4, 1951 at 10:30 a. m. Daylight Saving Time, to hear the appeal of Ira W. Stockwell requesting exception to the Zoning Ordinance to permit alterations in single family dwelling house at 146 Brighton Avenue and making a second dwelling unit in that there would be one dwelling unit and the dentist's office in the first story and one dwelling unit on the second floor.

This permit is presently not issuable under the Zoning Ordinance because this property is in a Residence AA Zone where a 2-family dwelling house is not an allowable use. This building was used for two dwelling units in 1938 when the Zoning Ordinance was adopted. However, the second apartment has been discontinued for a period of more than two years and, according to Section 14C, such a discontinuance constitutes an abandonment of the use.

This appeal is taken under Section 13E of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by law.

Board of Appeals

Helen C. Frost

Chairman

M

No Objections

unless objection is received
Mrs. Lucia M. Harding
16 Catherine Street,
Portland, Maine.

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

April 24, 1951

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, May 4, 1951 at 10:30 a. m. Daylight Saving Time, to hear the appeal of Ire W. Stockwell requesting exception to the Zoning Ordinance to permit alterations in single family dwelling house at 146 Brighton Avenue and making a second dwelling unit in that there would be one dwelling unit and the dentist's office in the first story and one dwelling unit on the second floor.

This permit is presently not issuable under the Zoning Ordinance because this property is in a Residence AA Zone where a 2-family dwelling house is not an allowable use. This building was used for two dwelling units in 1938 when the Zoning Ordinance was adopted. However, the second apartment has been discontinued for a period of more than two years and, according to Section 14C, such a discontinuance constitutes an abandonment of the use.

This appeal is taken under Section 13F of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by law.

Board of Appeals

Helen C. Frost

Chairman

I cannot see why Mr & Mrs Ira Stockwell's wish cannot be granted. More power to them and success in their undertaking.

E. Maudie N. Loring

Kindly Mr Stockwell should be allowed to continue his trade at his present location

D. L. Loring

MR. McDONALD
INSPECTOR OF BUILDINGS

On reply refer
to file AP 146 Brighton Avenue,
Corner of Catherine Street—Department of Building Inspection

CITY OF PORTLAND, MAINE

FU

April 7, 1951

Dr. Ira W. Stockwell
146 Brighton Avenue
Portland, Maine

Copies to: Corporation Counsel

Mr. Carroll Beck, 158 Westbrook Street
South Portland, Maine

Dear Dr. Stockwell:

Building permit, for which Mr. Beck as your agent has applied, to cover alterations in your single family dwelling house at 146 Brighton Avenue and making a second dwelling unit on the basis that there would be one dwelling unit and the dentist's office accessory to your own living quarters in the first story and one dwelling unit on second floor, is not issuable under the Zoning Ordinance because the property is in a Residence 2A Zone where, according to Section 13A of the Ordinance, a 2-family dwelling house is not included in the list of allowable uses.

It is true that this building was used for two dwelling units when the Zoning Ordinance was adopted in 1938 and for a number of years since, but some time ago the second apartment was discontinued, and the building has been used for only one family for a period of more than two years. According to Section 14C of the Ordinance, such a discontinuance constitutes an abandonment of the use, and such a building may only be used in conformity with the Ordinance unless some non-conforming use is authorized by the Board of Appeals after the usual appeal procedure.

Mr. Beck says that you desire to seek an exception from the Board of Appeals; so there is enclosed an outline of the appeal procedure.

Very truly yours,

Warren McDonald
Inspector of Buildings

WMd/g

Enclosure: Outline of appeal procedure

C
O
P
Y

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

April 24, 1951

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, May 4, 1951 at 10:30 a. m. Daylight Saving Time, to hear the appeal of Ire W. Stockwell requesting exception to the Zoning Ordinance to permit alterations in single family dwelling house at 146 Brighton Avenue and making a second dwelling unit in that there would be one dwelling unit and the dentist's office in the first story and one dwelling unit on the second floor.

This permit is presently not issuable under the Zoning Ordinance because this property is in a Residence AA Zone where a 2-family dwelling house is not an allowable use. This building was used for two dwelling units in 1938 when the Zoning Ordinance was adopted. However, the second apartment has been discontinued for a period of more than two years and, according to Section 14C, such a discontinuance constitutes an abandonment of the use.

This appeal is taken under Section 13F of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by law.

Board of Appeals

Helen C. Frost

Chairman

May 1, 1951

Mrs Helen C. Frost

Dear Madam:

We have no objection to
the petition of Dr. Ina W. Stockwell
146 Brighton Ave.

It will be impossible for
us to attend the meeting

Very truly

(Mrs E. M. Edith B. Needham

Edith M. Needham

219 Dartmouth St,
Portland, 5, Me

Denied
4/18/49
49/33

City of Portland, Maine
Board of Appeals
— ZONING —

March 31, 19 49

To the Board of Appeals:

Your appellant, Ira W. Stockwell, who is the owner of property at 146 Brighton Avenue, respectfully petitions the Board of Appeals of the City of Portland to permit an exception to the regulations of the Zoning Ordinance relating to this property, as provided by Section 17, Paragraph E of the Zoning Ordinance,

Building permit to cover physical alterations and change of use from present detached single-family dwelling house with accessory dentist's office to a two-family dwelling house with one dwelling unit above the first story, one dwelling unit in the rear of first story and a dentist's office in the front of first story, is not issuable under the Zoning Ordinance because the property is in a Residence AA Zone in which, a two-family dwelling house is not allowable, and the dentist's office under the new arrangement because it could no longer be classified as accessory to a detached single-family dwelling house. According to Section 14C of the Ordinance the former non-conforming use as a two-family dwelling house may not be resumed unless first authorized by the Board of Appeals after the usual appeal procedure, because that use has been discontinued for more than two years.

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

An exception is necessary in this case to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Ira W. Stockwell
Appellant

Photo with new appeal

49/33

City of Portland, Maine
Board of Appeals

— ZONING —

Decision

Public hearing was held on the 15th day of April, 19 49 ,
on petition of Ira W. Stockwell owner of property at
146 Brighton Avenue , seeking to be permitted an exception to the regulations of
the Zoning Ordinance relating to this property.

Building permit to cover physical alterations and change of use from present detached single-family dwelling house with accessory dentist's office to a two-family dwelling house with one dwelling unit above the first story, one dwelling unit in the rear of first story and a dentist's office in the front of first story, is not issuable under the Zoning Ordinance because the property is in a Residence AA Zone in which, a two-family dwelling house is not allowable, and the dentist's office under the new arrangement because it could no longer be classified as accessory to a detached single-family dwelling house. According to Section 14C of the Ordinance the former non-conforming use as a two-family dwelling house may not be resumed unless first authorized by the Board of Appeals after the usual appeal procedure, because that use has been discontinued for more than two years.

The Board finds that an exception is not necessary in this case to grant reasonable use of property and can not be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

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

John W. Lake
Edward J. Colley
B. W. Hathorn

Board of Appeals

49/33

DATE: April 18, 1949

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF IRA W. STOCKWELL
AT 146 Brighton Avenue

Public hearing on above appeal

was held before the Board of Appeals ~~today~~ April 15, 1949

<u>Board of Appeals</u>	<u>VOTE</u>		<u>Municipal Officers</u>
	Yes	No	
Mr. Wetchell	()	(x)	
Mr. O'brion	(x)	()	
Mr. Holbrook	()	(x)	
Mr. Colley	()	(x)	
Mr. Lake	()	(x)	
	()	()	
	()	()	
	()	()	
	()	()	

Record of hearing:

Philip Willard, Esq.
Dr. and Mrs. Stockwell

Opponents:

William Mahoney, Esq. for Mary Hanson (across street)
Walter Tapley, Esq. for Mr. and Mrs. Louella Harding and George Magellis
Mr. Hanson objects to business use.
Mr. Kaplan objects to any increase in business use.

49/33

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

April 11, 1949

Dr. Ira W. Stockwell
146 Brighton Avenue
Portland, Maine

Dear Dr. Stockwell:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 15, 1949 at 10:30 a. m. to hear your appeal requesting exception to the Zoning Ordinance relating to the premises at 146 Brighton Avenue.

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

Very truly yours,
Robert L. Getchell
Chairman

M

49/33

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

April 5, 1949

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, April 15, 1949 at 10:30 a. m. to hear the appeal of Dr. Ira W. Stockwell requesting exception to the Zoning Ordinance to permit two-family dwelling house with one dwelling unit above the first story, one dwelling unit in the rear of the first story and a dentist's office in the front of the first story at 146 Brighton Avenue.

This change of use is not allowable under the Zoning Ordinance because this property is in a Residence AA Zone in which, a two-family dwelling house is not permissible, and the dentist's office is no longer permissible under the new arrangement because it could not be classified as accessory to a detached single family dwelling house. Further, the former non-conforming use as a two-family dwelling house on these premises can not be resumed unless first authorized by the Board of Appeals after the usual appeal procedure because such use has been discontinued for more than two years.

This appeal is taken under Section 17A of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said board shall give due consideration to promoting public health, safety, convenience and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the premises in question as required by law.

BOARD OF APPEALS

Robert L. Gatchell

Chairman

Appeal of Mr. Ira Stockwell at 146 Brighton Ave

Noyes Street - 133 to end ✓
" " - 120 to end ✓

Barnmouth Street - 185 to end ✓
" " - 180 to end ✓

Catherine Street - Entire ✓

William Street - 119 to end ✓
" " - 120 to end ✓

Sheffield Street - entire ✓

Kenwood Street - 3 to 55 ✓

Pitt Street - 125 to end ✓

100
appeal

Brighton Avenue - 103 to 191 ✓
" " - 98 to 202 ✓

(over)

Wewonshire Street - 5 to 17 ✓

~ - 2 to 8 ✓

St. John Street

- 527 to end ✓

~ " " ✓

49/33
Mrs. Chester B. Taylor

11 Devonshire Street

to phone disapproval
of Dr. Stockwell's appeal.
She does not object to
dentists' office in any
way, but is against
any other relaxing of
Ordinance, due to possible
future repercussions.

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Also Mrs. Ray Billington
8-10 Devonshire St.

WARREN McDONALD
INSPECTOR OF BUILDINGS

CITY OF PORTLAND, MAINE

On reply refer
to file AP 146 1110 Avenue-I Department of Building Inspection

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March 24, 1949

Dr. Ira Stockwell
146 Brighton Avenue
Portland, Maine

Subject: Application for permit to cover physical alterations and change of use of the dwelling house at 146 Brighton Avenue, and proposed zoning appeal relating thereto

Dear Sir:

The building permit applied for to cover physical alterations at 146 Brighton Avenue and to cover change of use from the present detached single-family dwelling house with accessory dentist's office in the front of first story to a two family dwelling house with one dwelling unit above the first story, one dwelling unit in the rear of first story and a dentist's office in the front of first story, not issuable under the Zoning Ordinance because the property is in a Residence AA Zone in which, according to Section 13A of the Ordinance a two family dwelling house is not allowable, and the dentist's office under the new arrangement because it could no longer be classified as accessory to a detached single-family dwelling house. According to Section 14C of the Ordinance the former non-conforming use as a two family dwelling house may not be resumed unless first authorized by the Board of Appeals after the usual appeal procedure, because that use has been discontinued for more than two years.

You have indicated your desire to seek a variance from the Board of Appeals, and there is enclosed, therefore, an outline of the appeal procedure.

If the time element is important, I suggest that you file the appeal at the office of Corporation Counsel no later than March 28, which would be likely to secure the required public hearing on April 15, otherwise a delay of probably two weeks more would ensue.

Very truly yours,

(Signed) WARREN McDONALD
Inspector of Buildings

WMcD/G

Enclosure: Outline of appeal procedure

CC: Mr. Carroll Beck
150 Westbrook Street

Edward T. Gignoux
Assistant Corporation Counsel

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O
P
Y

49/33

AP 146 Brighton Ave.

November 23, 1949

Dr. Ira Stockwell,
146 Brighton Ave.,
Portland, Maine

Dear Dr. Stockwell:

At the request of the City Manager I am sending a photo-
stat copy of the plan of the first floor of your house which we
have in our files.

Our operator printed one of them too dark and made another,
so I am sending along both with the thought that perhaps you can
use them.

Very truly yours,

W McD/H

Inspector of Buildings