

PERMAN AVE., PEAKS ISL.

87-HH-38



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date Aug. 1, 19 75
 Receipt and Permit number A03093

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 Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 87-HH-38 Herman Ave., Peaks Island
 OWNER'S NAME: Charles Franco ADDRESS: Peaks Island

OUTLETS: (number of)

Lights	_____	
Receptacles	_____	
Switches	_____	
Plugmold	_____ (number of feet)	
TOTAL	_____	

FEEES

FIXTURES: (number of)

Incandescent	_____	
Fluorescent	_____ (Do not include strip fluorescent)	
TOTAL	_____	
Strip Fluorescent, in feet	_____	

SERVICES:

Permanent, total amperes	<u>100</u>	<u>3.00</u>
Temporary	_____	_____

METERS: (number of) _____ .50

MOTORS: (number of)

Fractional	_____	
1 HP or over	_____	

RESIDENTIAL HEATING:

Oil or Gas (number of units)	_____	
Electric (number of rooms)	_____	

COMMERCIAL OR INDUSTRIAL HEATING:

Oil or Gas (by a main boiler)	_____	
Oil or Gas (by separate units)	_____	
Electric (total number of kws)	_____	

APPLIANCES: (number of)

Ranges	_____	Water Heaters	_____
Cook Tops	_____	Disposals	_____
Wall Ovens	_____	Dishwashers	_____
Dryers	_____	Compactors	_____
Fans	_____	Others (denote)	_____
TOTAL	_____		_____

MISCELLANEOUS: (number of)

Branch Panels	_____	
Transformers	_____	
Air Conditioners	_____	
Signs	_____	
Fire/Burglar Alarms	_____	
Circus, Fairs, etc.	_____	
Alterations to wires	_____	
Repairs after fire	_____	
Heavy Duty, 220v outlets	_____	
Emergency Lights, battery	_____	
Emergency Generators	_____	

INSTALLATION FEE DUE: _____

FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT DOUBLE FEE DUE: _____

FOR REMOVAL OF A "STOP ORDER" (304-16.b) _____

FOR PERFORMING WORK WITHOUT A PERMIT (304-9) _____

TOTAL AMOUNT DUE: 3.50

INSPECTION:
 Will be ready on _____, 19____; or Will Call _____

CONTRACTOR'S NAME: Richard Bemis

ADDRESS: Peaks Island

TEL.: 766-2809

MASTER LICENSE NO.: 2971

SIGNATURE OF CONTRACTOR: _____

LIMITED LICENSE NO.: _____

INSPECTOR'S COPY

CITY OF PORTLAND, MAINE

Application for Permit to Install Wires

87-44-38 Hemann Ave

Permit No. 830

Issued 9/22, 1973

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 CHARLES FRANCO, PEAK ISLAND.

Contractor's Name and Address BAY VIEW ELECTRIC, PEAK ISLAND.

Location ~~HALE ST.~~ PEAKS Use of Building RESIDENCE

Number of Families . Apartments . Stores Number of Stories

Description of Wiring: New Work Additions Alterations

INSTALL HOT WATER HEATER

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 1 Watts 7500

Miscellaneous Watts Extra Cabinets or Panels

Transformers Air Conditioners (No. Units) Signs (No. Units)

Will commence 19 Ready to cover in 19 Inspection 19

Amount of Fee \$ 1.50

Signed Richard J. Bennett

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 J. W. H. (OVER)

Pooks.

LOCATION *Maple ST*
INSPECTION DATE *10/1/73*
WORK COMPLETED *10/1/73*
TOTAL NO. INSPECTIONS
REMARKS:

FEEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963

WIRING

1 to 30 Outlets \$ 2.00
31 to 60 Outlets 3.00
Over 60 Outlets, each Outlet .05
(Each twelve feet or fraction thereof of fluorescent lighting or any type of plug molding will be classed as one outlet).

SERVICES

Single Phase 2.00
Three Phase 4.00

MOTORS

Not exceeding 50 H.P. 3.00
Over 50 H.P. 4.00

HEATING UNITS

Domestic (Oil) 2.00
Commercial (Oil) 4.00
Electric Heat (Each Room) .75

APPLIANCES

Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Built-in Dishwashers, Dryers, and any permanent built-in appliance — each unit 1.50

MISCELLANEOUS



DAY AFTER NEXT HOUSE ZONE

PERMIT ISSUED

Permit No. 2480
NOV 22 1929

APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, November 22, 1929

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location Hersham Avenue Funks Island Ward B Within Fire Limits? No Dist. No. _____

Owner's or Lessor's name and address E. E. Bounds, Lavin Ave Telephone _____

Contractor's name and address Geo. Keenig, Willow St. Bunks Telephone _____

Architect's name and address _____ Telephone _____

Proposed use of building Boat and garage No. families _____

Other buildings on same lot _____

Description of Present Building to be Altered

Material wood No. stories 1 Heat _____ Style of roof _____ Roofing _____

Last use _____ Boat house No. families _____

General Description of New Work

To erect one brick outside chimney

RECEIVED
NOV 22 1929
CITY OF PORTLAND
ME

Details of New Work

Size, front _____ depth _____ No. stories _____ Height average grade to highest point of roof _____

To be erected on solid or filled land? _____ earth or rock? _____

Material of foundation concrete Thickness, top _____ bottom _____

Material of underpinning _____ Height _____ Thickness _____

Kind of roof _____ Roof covering _____

No. of chimneys 1 Material of chimneys brick of lining tile

Kind of heat stove Type of fuel coal Distance, heater to chimney _____

If oil burner, name and model _____

Capacity and location of oil tanks _____

Is gas fitting involved? _____ Size of service _____

Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____

Material columns under girders _____ Size _____ Max. on centers _____

Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.

Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____

On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____

Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____

If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot _____, to be accommodated _____

Total number commercial cars to be accommodated _____

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? _____

Miscellaneous

Will above work require removal or disturbing of any shade tree on a public street? _____

Plans filed as part of this application? no No. sheets _____

Estimated cost \$ 50. Fee \$.50

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

Signature of owner E. E. Bounds
Donald G. Crandall

INSPECTION COPY

736A

Ward 1 Permit No. 29/2480

Location W. on Ave Peaks Dr.

Owner E. E. Rowland

Date of permit 11/22/29

Notif. closing-in _____

Inspn. closing-in _____

Final Notif. _____

Final Inspn. _____

Cert. of Occupancy issued _____

NOTES

87

11/1

38

6/10/30 - Chimney built
Projects about 7' above
highest point of roof
to top but is at least
a foot above ridge and
at gable end of building
so probably all right

6/10/30 - Talked with
Mr. Fleming and he
says he is sure chimney
is 3' above roof
if bricks make
appearances de sur
ing. A.J.



APARTMENT HOUSE ZONE
APPLICATION FOR PERMIT

PERMIT NO. 100
OCT 21 1929

Class of Building or Type of Structure Third Class

Portland, Maine, October 21, 1929

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location Herman Avenue, Peaks Island Ward 1 Within Fire Limits? No Dist. No. _____
Owner's or Lessee's name and address E. E. Rouns, 70 Lawn Avenue Telephone _____
Contractor's name and address Owner Telephone _____
Architect's name and address _____
Proposed use of building Boat house and garage No. families _____
Other buildings on same lot _____

Description of Present Building to be Altered

Material wood No. stories 1 Heat _____ Style of roof pitch Roofing asphalt
Last use boat house and garage No. families _____

General Description of New Work

To remove entire roof
To put in four new windows

CERTIFICATE OF SUPPLY
REQUIREMENT IS WAIVED
NOTIFICATION BEFORE ANYTHING
OR CLOSING IN IS WAIVED

Details of New Work

Size, front _____ depth _____ No. stories _____ Height average grade to highest point of roof _____
To be erected on solid or filled land? _____ earth or rock? _____
Material of foundation _____ Thickness, top _____ bottom _____
Material of underpinning _____ Height _____ Thickness _____
Kind of roof pitch Roof covering asphalt Asphalt roofing Class C Ins. Lab.
No. of chimneys _____ Material of chimneys _____ of lining _____
Kind of heat _____ Type of fuel _____ Distance, heater to chimney _____
If oil burner, name and model _____
Capacity and location of oil tanks _____
Is gas fitting involved? _____ Size of service _____
Corner posts _____ Sills _____ Girt or ledger board? _____ Size _____
Material columns under girders _____ Size _____ Max. on centers _____
Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 9 feet. Sills and corner posts all one piece in cross section.
Joists and rafters: 1st floor _____, 2nd _____, 3rd _____, roof _____
On centers: 1st floor _____, 2nd _____, 3rd _____, roof _____
Maximum span: 1st floor _____, 2nd _____, 3rd _____, roof _____
If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

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

Miscellaneous

Will above work require removal or disturbing of any shade tree on a public street? no
Plans filed as part of this application? no No. sheets _____
Estimated cost \$ 50 Fee \$ 50

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

Signature of owner E. E. Rouns

INSPECTION COPY

4687

Ward 1 Permit No. 29/2215

Location Herman Ave, Peabody

Owner E. E. Pounds

Date of permit 10/21/29

Notif. closing-in _____

Inspn. closing-in _____

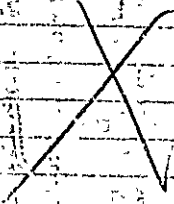
Final Notif. _____

Final Inspn. _____

Cert. of Occupancy issued _____

NOTES

87
H.H.
38
11/7/29 work done
a.j.s.



PERMIT # ~~012570~~ **VOID** TOWN OF Portland BUILDING PERMIT APPLICATION MAP # _____ LOT# _____

Please fill out any part which applies to job. Proper plans must accompany form.

Owner: Darren Brown

Address: F.O. Box 84 Peaks Island 04108 - (766-2169)

LOCATION OF CONSTRUCTION Hixson Ave. Lot #22 Peaks Island

CONTRACTOR: owner SUBCONTRACTORS _____

ADDRESS: _____

Est. Construction Cost: 7,000. Type of Use: garage on vacant lot

Past Use: _____

Building Dimensions L W Sq. Ft. # Stories: Lot Size:

Is Proposed Use: Seasonal Condominium Apartment

Conversion - Explain addition to existing garage

COMPLETE ONLY IF THE NUMBER OF UNITS WILL CHANGE const. plan p1ct

Residential Buildings Only: on one sheet

Of Dwelling Units # Of New Dwelling Units

Foundation:

- Type of Soil: _____
- Set Backs - Front _____ Rear _____ Side(s) _____
- Footings Size: _____
- Foundation Size: _____
- Other _____

Floor:

- Sills Size: _____ Sills must be anchored
- Girder Size: _____
- Lally Column Spacing: _____ Size: _____
- Joints Size: _____ Spacing 16" O.C.
- Bridging Type: _____ Size: _____
- Floor Sheathing Type: _____ Size: _____
- Other Material: _____

Exterior Walls:

- Studding Size _____ Spacing _____
- No. windows _____
- No. Doors _____
- Header Sizes _____ Spacing _____
- B.acing: Yes _____ No _____
- Corner Posts Size _____
- Insulation Type _____ Size _____
- Sheathing Type _____ Size _____
- Siding Type _____ Weather Exposure _____
- Masonry Materials _____
- Metal Materials _____

Interior Walls:

- Studding Size _____ Spacing _____
- Header Sizes _____ Spacing _____
- Wall Covering Type _____
- Fire Wall if required _____
- Other Materials _____

For Official Use Only

Date September 1, 1989 Subdivision, Yes / No _____

Inside Fire Limits _____ Name _____

Bldg Code _____ Lot _____

Time Limit _____ Permit Expiration _____

Estimated Cost 7,000 Ownership _____ Public _____

Value Structure _____ Fee 55.00 Private _____

Ceiling:

- Ceiling Joists Size _____ Spacing _____
- Ceiling Strapping Size _____ Spacing _____
- Type Ceilings: _____ Size _____
- Insulation Type _____
- Ceiling Height: _____

Roof:

- Truss or Rafter Size _____
- Sheathing Type _____
- Roof Covering Type _____
- Other _____

Chimneys:

Type: _____ Number of Fire Places: _____

Heating:

Type of Heat _____

Electrical:

Service Entrance Size: _____ Smoke Detector Required Yes _____ No _____

Plumbing:

- Approval of soil test if required Yes _____ No _____
- No. of Tubs or Showers _____
- No. of Flushes _____
- No. of Lavatories _____
- No. of Other Fixtures _____

Swimming Pools:

- Type: _____ x _____ Square Footage _____
- Pool Size: _____
- Must conform to National Electrical Code and State Law.

Zoning:

District T-2 Street Frontage Req _____ Provided _____

Required Setbacks: Front _____ Back _____ Side _____

Review Required:

Zoning Board Approval: Yes _____ No _____ Date: _____

Planning Board Approval: Yes _____ No _____ Date: _____

Conditional Use: _____ Variance _____ Site Plan _____ Subdivision _____

Shore and Floodplain Mgmt _____ Special Exception _____

Other: _____ (Explain) _____

Date Approved 9-8-89

PERMIT ISSUED

SEP 11 1989

CITY OF PORTLAND

VOID

Permit Received By Deborah Coode

Signature of Applicant Darren Brown Date 9-1-89

Signature of CEO _____ Date _____

Inspection Dates _____

PLOT PLAN



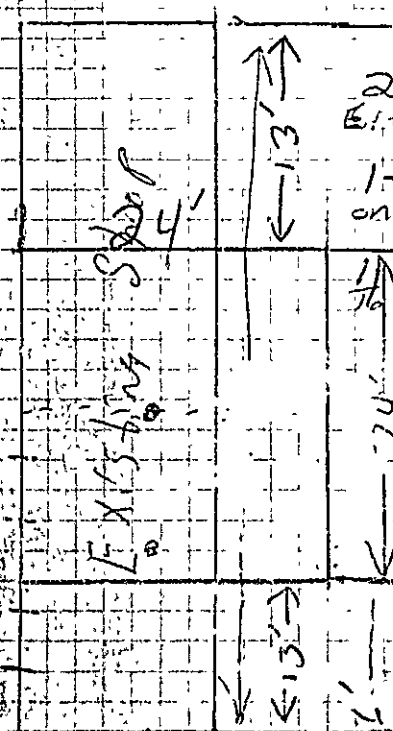
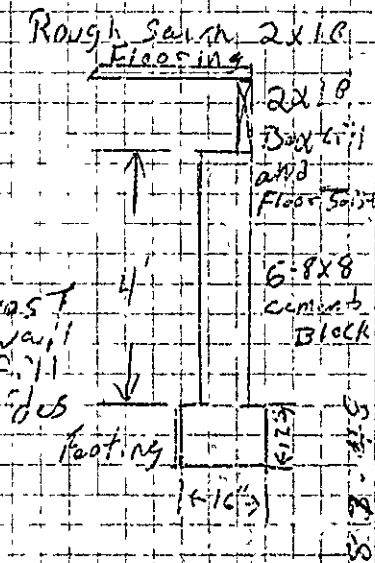
FEES (Breakdown From Front)		Inspection Rec'd	Date
	Type		
Base Fee \$ _____	_____	_____	____/____/____
Subdivision Fee \$ _____	_____	_____	____/____/____
Site Plan Review Fee \$ _____	_____	_____	____/____/____
Other Fees \$ _____	_____	_____	____/____/____
(Explain) _____	_____	_____	____/____/____
Late Fee \$ _____	_____	_____	____/____/____

COMMENTS

Signature of Applicant *Garrison Brown*

Date *9-1-89*

Wall studs to be 2x6 @ 24" o.c. 8' tall
 Wall sheathing to be 1/2" T1-11
 Roof Rasters 2x8 16" o.c. with A 5-12 pitch
 Roof sheathing 3/8" wafer Board

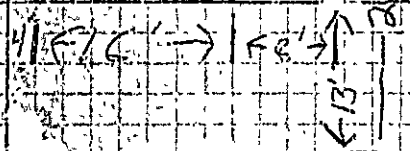


Doors & windows
 2- 3' x 4' windows on
 Either side of Building
 1- 8' x 7' Garage Door
 on front of Building
 1- 3' x 6' 8" Entrance Door
 to the right of Garage Door

Headers on windows Double 2x8
 Header on Garage Door Double 2x12
 Header on Entrance Door Double 2x6
 All Headers to be L. nated with
 1/2" Plywood.

3 Laminated 2x6 for lumber carrying Beam
 on 10' Sona Tubing @ 8' apart
 one story High

27-6 in BX of For,
 Dan rem Brown



10,232 s.f. Hartman Ave # 21 + 22

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELL
THOMAS F. JEWELL
DAVID L. SILVERNALL
MICHAEL E. WESTORT

Dewey Martin

Herman Avenue, Peaks Island
Chart 87 Block HH Lot 38

February 2, 1990

Mr. Gary Vogel, Attorney
Richardson & Trough
P. O. Box 9732
Portland, Maine 04104-5032


Dear Mr. Vogel:

At the meeting of the Board of Appeals on Thursday evening, February 1, 1990, the Board voted by a vote of six members present to uphold the decision of the Building Inspector's Division in the interpretation appeal on behalf of Darren Brown, owner of the nonconforming use on Lot 87-HH-38 on Herman Avenue, Peaks Island.

The Board considered the facts presented at the public hearing and determined that the use may have lapsed when the building was unused for a period of time and that no change of use permit was ever granted for the uses occurring there.

As an alternative, and attorney for the applicant, you have requested that a use variance be requested for consideration by the Board of Appeals. This use variance will be scheduled for review at the next regular meeting on Thursday evening, February 15, 1990 under unfinished business. A copy of the agenda for that meeting will be sent to you as soon as copies become available for distribution. A second fee of \$50.00 will be required for the variance.

Sincerely,

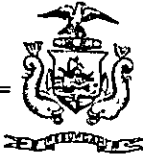

Warren J. Turner
Administrative Assistant

Enclosure: Copy of the Board's Decision

cc: Mr. Darren Brown, P. O. Box 84, Peaks Island, Maine, 04108
Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffses, Chief, Inspection Services
Arthur Addato, Code Enforcement Officer
William D. Giroux, Zoning Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

389 CONGRESS STREET • PORTLAND, MAINE 04101 • (207) 874-8300

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTGORT
DEWEY MARTIN

Herman Avenue, Peaks Island
(Chart 87, Block HH, Lot 38)

March 2, 1990

Mr. Gary Vogel, Attorney
Richardson & Troubh
P. O. Box 9732
Portland, Maine 04101

Dear Mr. Vogel:

At the meeting of the Board of Appeals on Thursday afternoon, March 1, 1990, the Board voted by a vote of six votes to deny your client's request for a use variance for Lot 38, Block HH, Chart 87, on Herman Avenue, Peaks Island. Due to this unanimous decision by the Board, the use of the garage and storage building must be discontinued within thirty days following the receipt of this letter. A copy of the Board's decision is enclosed.

The Board decided that there are alternative uses available for the subject land and building, and that therefore Mr. Darren L. Brown is not being deprived of other uses for the land.

Sincerely,

Warren J. Turner
Administrative Assistant

Enclosure: Decision of the Board

cc: Merrill S. Seltzer, Chairman, Board of Appeals
Joseph E. Gray, Jr., Director, Planning & Urban Development
P. Samuel Hoffses, Chief, Inspection Services
Arthur Addato, Code Enforcement Officer
William D. Giroux, Zoning Enforcement Officer
Charles A. Lane, Associate Corporation Counsel



APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, October 31, 1929

Permit No. 153815

21 1 29

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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

Location Eastern Avenue, Peaks Island Ward 1 Within Fire Lim 30 Dist No. ---
 Owner's or ~~contractor's~~ name and address Dr. H. Francis, 70 Lower Avenue. Telephone ---
 Contractor's name and address Green Telephone ---
 Architect's name and address --- No families ---
 Proposed use of building Boat house and garage
 Other buildings on same lot ---

Description of Present Building to be Altered

Material Wood No. stories 1 Heat --- Style of roof Gable Roofing asphalt
 Last use Boat house and garage No families ---

General Description of New Work

To ~~renew~~ renew entire roof
 To ~~cut~~ cut in four new windows

Details of New Work

Site, front --- depth --- No. stories --- Height average grade to highest point of roof ---
 To be erected on solid or filled land? --- earth or rock? ---
 Material of foundation --- Thickness, top --- bottom ---
 Material of underpinning --- Height --- Thickness ---
 Kind of roof gable Roof covering Asphalt roofing Class C U.S.A. Job.
 No. of chimneys --- Material of chimneys --- of lining ---
 Kind of heat --- Type of fuel --- Distance, heater to chimney ---
 If oil burner, name and model ---

18-6-89

I Darren Brown with Draw Application
to Do work on Lot 22 Herman ave. Peaks Island
Portland, me. 04108

Darren Brown

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MOHELLI
THOMAS F. JEWELL
DAVID L. SILVERNAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

Lot 22 Herman Avenue, Peaks Island

11 December 1989

Darren Brown
PO Box 84
Peaks Island ME 04108

Dear Darren,

I have made a thorough review of your application to rebuild a garage on Lot 22 Herman Avenue. It appears that this building has existed as a non-conforming use since 1961. Prior to that it was a municipal garage, permitted in that zone. The property since then has apparently been used for commercial construction but no permit was acquired to do so. I have found no evidence which convinces me that this is a 'legal non-conforming use' and I cannot issue a permit to allow this to continue.

Section 14-385.1 The restoration is of a building which is non-conforming as to land area or setbacks.

Section 14-145.8 This use is not permitted here.

Please contact this office if you would like to exercise your appeal rights concerning this matter.

Sincerely,


William D. Giroux
Zoning Code Enforcement Officer

cc: Joseph Gray, Director, Planning and Urban Development
Alex Jaegerman, Chief Planner, Planning and Urban Development
P Samuel Hoffses, Chief, Inspection Services
Charles Lane, Associate, Corporation Counsel
Natalie Burns, Associate, Corporation Counsel
Warren Turner, Administrative Assistant, Zoning
Arthur Addato, Code Enforcement Officer, Inspection Services

WDG/bm

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CITY OF PORTLAND, MAINE

383 CONGRESS STREET
PORTLAND, MAINE 04101
(207)874-8300

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF
INSPECTION SERVICES DIVISION

April 2, 1990

RE: Lot 22 Herman Avenue, P.I.

Darren L. Brown
P.O. Box 84
Peaks Island, Maine 04108

Dear Mr. brown,

As a result of recent hearings before the Board of Appeals, your permit to renovate a structure at Lot 22 Herman Avenue, Peaks Island is denied. Any use of this without change of use permits, is a violation of the Land Use Code.

You are hereby required to cease and desist any use.

Sincerely,

William D. Giroux
Zoning Codes Enforcement Officer

/el

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
P. Samuel Hoffses, Chief of Inspection Services
Arthur Addacc, Code Enforcement Officer
Charles Lane, Corporation Counsel
Warren J. Turner, Administrative Assistant
Attorney Gary Vogel, 465 Congress Street, Portland, Maine 04101



CITY OF PORTLAND, MAINE

389 CONGRESS STREET
PORTLAND, MAINE 04101
(207) 874-8300

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF
INSPECTION SERVICES DIVISION

Corner of Herman Avenue
& Ernest St., Peaks Island

November 9, 1989

Mr. Gary D. Vogel, Attorney
Richardson & Troubh
465 Congress Street
P. O. Box 9732
Portland, Maine 04104

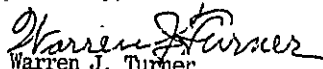
Dear Mr. Vogel:

This is in reference to your letter of October 30th in which you indicate that a building permit application will be forthcoming on behalf of Darren Brown's renovations for the former City Maintenance Garage on Peaks Island. It is understood that this is the continuation of a lawful non-conforming use of the property as a storage garage and workshop.

This location is now zoned IR-2 Island Residence 2 Zone, although the existing building is of course "grandfathered," as to setbacks and other zoning requirements, such as use.

We have not yet received an application for alterations of the interior of the building at Herman Avenue and Ernest Street on Peaks Island.

Sincerely,


Warren J. Turner
Administrative Assistant

cc: P. Samuel Hoffses, Chief, Inspection Services
Arthur Addato, Code Enforcement Officer
William D. Giroux, Zoning Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

Permit # _____ City of Portland BUILDING PERMIT APPLICATION Fee _____ Zone _____ Map # _____ Lot# _____
 Please fill out any part which applies to job. Proper plans must accompany form.

Owner: Darren Brown Phone # 765-2169
 Address: * PO Box 84 Peaks Island 04108
 LOCATION OF CONSTRUCTION: Lot: 22 Herman Ave Peaks Island
 Contractor: Owner Sub: _____
 Address: _____ Phone # _____
 Est. Construction Cost: 4,500 Proposed Use: Garage
 Past Use: _____
 # of Existing Res Units _____ # of New Res. Units _____
 Building Dimensions L _____ W _____ Total Sq. Ft _____
 # Stories: _____ # Bedrooms _____ Lc Size: _____
 Is Proposed Use: Seasonal _____ Condominium _____ Conversion _____
 Explain Conversion: Rebuild garage using same footprint as per plan

For Official Use Only
 Date: Nov 21, 1989 Subdivision: _____
 Inside Fire Limits: _____ Name: _____
 Bldg Code: _____ Lot: _____
 Type Limit: _____ Ownership: _____ Public _____ Private _____
 Estimated Cost: \$45,000 permit

Zoning: IR-2 Zone
 Street Frontage Provided: _____
 Provided Setbacks: Front _____ Back _____ Side _____ Side _____
 Review Required:
 Zoning Board Approval: Yes _____ No _____ Date: _____
 Planning Board Approval: Yes _____ No _____ Date: _____
 Conditional Use: _____ Variance _____ Site Plan _____ Subdivision _____
 Shoreland Zoning: Yes _____ No _____ Floodplain: Yes _____ No _____
 Special Exception: _____
 Other (Explain): Denied WAH 10-3-89

Foundation:
 1. Type of Soil: _____
 2. Set Backs: Front _____ Rear _____ Side(s) _____
 3. Footings Size: _____
 4. Foundation Size: _____
 5. Other: _____

Floor:
 1. Sills Size: _____ Sills must be anchored.
 2. Girder Size: _____
 3. Lally Column Spacing: _____ Size: _____
 4. Joists Size: _____ Spacing 16" O.C.
 5. Bridging Type: _____ Size: _____
 6. Floor Sheathing Type: _____ Size: _____
 7. Other Material: _____

Exterior Walls:
 1. Studding Size _____ Spacing _____
 2. No. windows _____
 3. No. Doors _____
 4. Header Size _____ Span(s) _____
 5. Bracing: Yes _____ No _____
 6. Corner Posts Size _____
 7. Insulation Type _____ Size _____
 8. Sheathing Type _____ Size _____
 9. Siding Type _____ Weather Exposure _____
 10. Masonry Materials _____
 11. Metal Materials _____

Interior Walls:
 1. Studding Size _____ Spacing _____
 2. Header Sizes _____ Span(s) _____
 3. Wall Covering Type _____
 4. Fire Wall if required _____
 5. Other Materials _____

Celling:
 1. Ceiling Joist Size _____
 2. Ceiling Strapping Size _____ Spacing _____
 3. Type Ceiling: _____
 4. Insulation Type _____ Size _____
 5. Ceiling Height: _____

Roof:
 1. Truss or Rafter Size _____ Span _____
 2. Sheathing Type _____ Size _____
 3. Roof Covering Type _____

Chimneys:
 Type: _____ Number of Fire Places _____

Heating:
 Type of Heat: _____

Electrical:
 Service Entrance Size: _____ Smoke Detector Required Yes _____ No _____

Plumbing:
 1. Approval of soil test if required Yes _____ No _____
 2. No. of Tubs or Showers _____
 3. No. of Flushes _____
 4. No. of Lavatories _____
 5. No. of Other Fixtures _____

Swimming Pools:
 1. Type: _____
 2. Pool Size: _____ x _____ Square Footage _____
 3. Must conform to National Electrical Code and State Law

Permit Received By: Deborah Goode
 Signature of Applicant: Deborah Goode Date: _____

Signature of CEO: _____ Date: _____

Inspection Dates: _____



CITY OF PORTLAND, MAINE

389 CONG. RESS STREET
PORTLAND, MAINE 04101
(207) 874-8300

*Permit
Denied*

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF
INSPECTION SERVICES DIVISION

April 2, 1990

RE: Lot 22 Herman Avenue, P.I.


Darren L. Brown
P.O. Box 84
Peaks Island, Maine 04108

Dear Mr. Brown,

As a result of recent hearings before the Board of Appeals, your permit to renovate a structure at 22 Herman Avenue, Peaks Island is denied. Any use of this without change of use permits, is a violation of the Land Use Code.

You are hereby required to cease and desist any use.

Sincerely,


William D. Giroux
Zoning Codes Enforcement Officer

/el

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
P. Samuel Hoffses, Chief of Inspection Services
Arthur Addato, Code Enforcement Officer
Charles Lane, Corporation Counsel
Warren J. Turner, Administrative Assistant
Attorney Gary Vogel, 465 Congress Street, Portland, Maine 04101

CITY OF PORTLAND, MAINE

ZONING BOARD OF APPEALS



MERRILL S. SELTZER
Chairman

JOHN C. KNOX
Secretary

PETER F. MORELLI
THOMAS F. JEWELL
DAVID L. SILVERMAIL
MICHAEL E. WESTORT
CHRISTOPHER DINAN

Lot 22 Herman Avenue, Peaks Island

11 December 1989

Darren Brown
PO Box 84
Peaks Island ME 04108

Dear Darren,


I have made a thorough review of your application to rebuild a garage on Lot 22 Herman Avenue. It appears that this building has existed as a non-conforming use since 1961. Prior to that it was a municipal garage, permitted in that zone. The property since then has apparently been used for commercial construction but no permit was acquired to do so. I have found no evidence which convinces me that this is a 'legal non-conforming use' and I cannot issue a permit to allow this to continue.

Section 14-385.1 The restoration is of a building which is non-conforming as to land area or setbacks.

Section 14-145.8 This use is not permitted here.

Please contact this office if you would like to exercise your appeal rights concerning this matter.

Sincerely,


William D. Giroux
Zoning Code Enforcement Officer

cc: Joseph Gray, Director, Planning and Urban Development
Alex Jaegerman, Chief Planner, Planning and Urban Development
P Samuel Hoffses, Chief, Inspection Services
Charles Lane, Associate, Corporation Counsel
Natalie Burns, Associate, Corporation Counsel
Warren Turner, Administrative Assistant, Zoning
Arthur Addato, Code Enforcement Officer, Inspection Services

WDG/bm



DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

CITY OF PORTLAND, MAINE

189 CONGRESS STREET
PORTLAND, MAINE 04101
(207) 874-8300

P. SAMUEL HOFFSES, CHIEF
INSPECTION SERVICES DIVISION

Corner of Herman Avenue
& Ernest St., Peaks Island

November 9, 1989

Mr. Gary D. Vogel, Attorney
Richardson & Troubh
465 Congress Street
P. O. Box 9732
Portland, Maine 04104


Dear Mr. Vogel:

This is in reference to your letter of October 30th in which you indicate that a building permit application will be forthcoming on behalf of Darren Brown's renovations for the former City Maintenance Garage on Peaks Island. It is understood that this is the continuation of a lawful non-conforming use of the property as a storage garage and workshop.

This location is now zoned IR-2 Island Residence 2 Zone, although the existing building is of course "grandfathered," as to setbacks and other zoning requirements, such as use.

We have not yet received an application for alterations of the interior of the building at Herman Avenue and Ernest Street on Peaks Island.

Sincerely,


Warren J. Turner
Administrative Assistant

cc: P. Samuel Hoffses, Chief, Inspection Services
Arthur Addato, Code Enforcement Officer
William D. Giroux, Zoning Enforcement Officer
Charles A. Lane, Associate Corporation Counsel

Back lot Line 120.08'

RECEIVED
NOV 21 1989
DEPT. OF BUILDING INSPECT.
CITY OF PORTLAND

Double 2x4
Top floor

2x6
Rafter

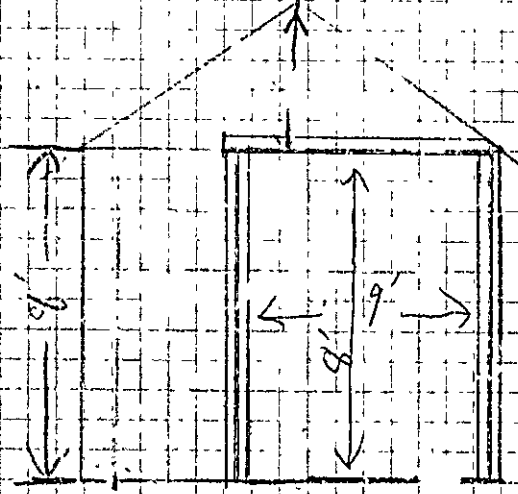
2x4 Sill

2x Decking
2x10
Garden

3" Block

16" 1/2

16" 1/2



Footings Lay out
0' 0" 0" 0" 0" 0"
will tubular 10" pipes 8' apart

50'
20.25'

16'

Front lot Line 120.00'

Herman Ave.

Not In F 83.02'

87.00'

Wall studs to be 2x4 16" o.c.
Wall Slatings to be 1/2" T-11
Roof Rafters 2x8 16" o.c.
Roof Slatings to be 1/2" Board
Front over Head Door to be 8' x 12'
Side Door to be 3' x 6'
3 - 3' sq windows on East side
3 - 3' sq windows on West side

Headers:

Front over Head Door Header 2 Laminated 2x12
Door + windows Headers 2 Laminated 2x8

RECEIVED
NOV 21 1989
DEPT. OF BUILDING INSPECTIONS
CITY OF POMONA

HARRISON L. RICHARDSON
WILLIAM B. TROUBH
ROBERT L. HAZARD, JR.
EDWIN A. HERLER
ROBERT E. NOONAN
JOHN B. WHITMAN
ROBERT J. PLAMPINO
FRANK J. KELLY
WENDEL G. LARUE
FREDERICK J. BADOER, JR.
KEVIN M. SILLIS
MICHAEL P. BOYD
THOMAS E. DETCHELL
JOHN W. CHAPMAN
EVE M. GIMNEY
WILLIAM S. WILSON, JR.
MICHAEL RICHARDS
WILLIAM C. HUNLEY
ELIZABETH J. YODER
BARRI L. B.
WILLIAM W. J. ANDRESS, JR.
GARY D. VOG
KEVIN M. WOODMAN
JAMES A. WOODRICK
DANIEL F. GILLIGAN
PAUL B. BULGER
DANIEL B. MYNAN
ALLAN M. MURPHY
ADIN M. MURRAY
CHRISTOPHER H. HONEY
FREDERICK F. COSTLOW
JOANNE P. DUGAN
*RESIDENT IN THE BANGOR OFFICE

RICHARDSON & TROUBH
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
465 CONGRESS STREET
PO BOX 9732
PORTLAND, MAINE 04104-5032
TELEPHONE (207) 774-5821
TELECOPIER (207) 761-2056

BANGOR OFFICE
82 COLUMBIA STREET
BANGOR, MAINE 04401
TELEPHONE (207) 945-5900
TELECOPIER (207) 945-0758

IN REPLY REFER TO:

09968.0116

October 30, 1989

HAND DELIVERED

William Giroux
Zoning Administrator
Building Inspection Department
Portland City Hall
389 Congress Street
Portland, Maine 04101

RE: Darren L. Brown
Building Permit Application to Renovate the Property
Owned by Darren L. Brown at the corner of Herman Avenue
and Ernest Street on Peaks Island

Dear Mr. Giroux:

This letter is being submitted with Darren Brown's application for a Building Permit to do certain renovations within the existing building located on his property at Herman Avenue and Ernest Street on Peaks Island.

The purpose of this letter is to document the continuation of the lawful non-conforming use of the property as a storage garage and workshop from the time when the City of Portland sold the property which had been the City's maintenance garage in 1961 up until the present.

Enclosed please find two letters, one from an abutting landowner who has lived across from the property for 27 years and a letter from Frank L. Davis, the owner of the property for the previous ten years. In fact, Building Inspection Records show that a permit for an electrical installation was issued to Frank Davis in March of 1987 for this property.

Darren Brown's use of the property has continued since he purchased the property early in 1989 from Frank Davis.

We have also had an opportunity to research the Zoning and Ordinances in effect in 1961, at the time the City sold this

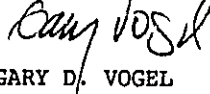
Page 2

property. At that time, the property was zoned R-3 residential. The R-3 zone did not delineate a municipal use as a separate use as does the R-3 ordinance today. The provisions of the ordinance concerning non-conforming uses are substantially the same as they are today. The use of this property by the City until 1961 as a garage and workshop pre-dated the R-3 zoning on Peaks Island. The use was continued by the new property owner in 1961 and has continued as a lawful non-conforming use since that date without incident. Accordingly, we believe that the record is clear that the property remains a lawful non-conforming use as a workshop and storage building in the R-3 Residential Zone.

I hope that this letter and the letters attached hereto supplies the necessary information you need to issue a Building Permit for the renovation of the structure. As I understand it, that renovation will not in any way expand the non-conforming use but merely makes necessary and desirable repairs to the building.

Please feel free to contact me if you have any questions.

Very truly yours,



GARY D. VOGEL

GDV/rpm
Enclosures
cc: Darren L. Brown
Enclosures
GDV:X103005.RM

Elizabeth Alves
P.O. Box 51
Herman Avenue
Peaks Island, Me. 04108

October 27, 1989

To Whome it may Concern,

I have lived on Herman Avenue for the
past 27 years, directly across from the lot that
Darten Brown now owns.

There has always been a shop there that
has been used for a storage and workshop. As
long as I have lived there, there has never been
a problem of any kind because of its uses.

If I can be of any future help
please contact me.

Sincerely,

Elizabeth Alves
Alves

Frank L. Davis
P.O. Box 4
Peaks Island, Me. 04108
(207) 766-2014

October 16, 1989

To whom it may concern,

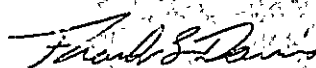
In the fall of 1988 I sold Darren Brown lot #22 on Herman Avenue,
Peaks Island, Me.

I had owned the lot for ten years and had used it for a work shop and
storage area for my contracting business. When I purchased the lot it had
been used to run a business out of, and I continued to do the same.

When I sold the lot to Darren Brown it was assumed he would be using
it for the same purpose.

If I can be of any further help, please call me.

Sincerely,



Frank L. Davis



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

00 756 2701039884

82-HH-9/38

Date September 1, 1989, 19
 Receipt and Permit number 00677

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 Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: Lot 22 Herman Ave. Peaks Island
 OWNER'S NAME: Darren Brown ADDRESS: _____

	FEES
OUTLETS:	
Receptacles _____ Switches _____ Plugmold _____ ft. TOTAL 1 to 30.....	3.00
FIXTURES: (number of)	
Incandescent <u>X</u> Fluorescent _____ (not strip) TOTAL <u>11</u>	3.10
Strip Fluorescent _____ ft.	3.10
SERVICES:	
Overhead _____ Underground _____ Temporary _____ TOTAL, amperes _____	0.815
METERS: (number of) _____	
MOTORS: (number of)	
Fractional _____	
1 HP or over _____	
RESIDENTIAL HEATING:	
Oil or Gas (number of units) _____	
Electric (number of rooms) _____	
COMMERCIAL OR INDUSTRIAL HEATING:	
Oil or Gas (by a main boiler) _____	
Oil or Gas (by separate units) _____	
Electric Under 20 kws _____ Over 20 kws _____	
APPLIANCES: (number of)	
Ranges _____ Water Heaters _____	
Cook Tops _____ Disposals _____	
Wall Ovens _____ Dishwashers _____	
Dryers _____ Compactors _____	
Fans _____ Others (denote) _____	
TOTAL _____	
MISCELLANEOUS: (number of)	
Branch Panels _____	
Transformers _____	
Air Conditioners Central Unit _____	
Separate Units (windows) _____	
Signs 20 sq. ft. and under _____	
Over 20 sq. ft. _____	
Swimming Pools Above Ground _____	
In Ground _____	
Fire/Burglar Alarms Residential _____	
Commercial _____	
Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under _____	
over 30 amps _____	
Circus, Fairs, etc. _____	
Alterations to wires _____	
Repairs after fire _____	
Emergency Lights, battery _____	
Emergency Generators _____	
INSTALLATION FEE DUE:	
FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT DOUBLE FEE DUE:	
FOR REMOVAL OF A "STOP ORDER" (304-16.b)	
TOTAL AMOUNT DUE:	6.10

INSPECTION:
 Will be ready on _____, 19__ ; or Will Call XX
CONTRACTOR'S NAME: Darren Brown
ADDRESS: Lot 22 Herman Ave. Peaks Island P.O. Box 84 04108
TEL.: _____
MASTER LICENSE NO.: _____ **SIGNATURE OF CONTRACTOR:**
LIMITED LICENSE NO.: _____ *Darren Brown*

INSPECTOR'S COPY — WHITE *Doing own*
 OFFICE COPY — CANARY *work*
 CONTRACTOR'S COPY — GREEN

Paul Zell
ELECTRICAL INSTALLATIONS

INSPECTIONS: Service _____ by _____
 Service called in _____
 Closing-in _____ by _____

Permit Number 00677
 Location H # 22
 Owner Dennis Brown
 Date of Permit 9/17/87
 Final Inspection _____
 By Inspector D. P.
 Permit Application Register Page No. 22

PROGRESS INSPECTIONS: _____ / _____ / _____
 _____ / _____ / _____
 _____ / _____ / _____
 _____ / _____ / _____

DATE:	REMARKS.
2-13-90	SERVICES WORK DONE <u>FINISH OF HOUSE</u> <u>NOT ACTIVE</u>

FOR THE CITY OF...
 I hereby certify that the above information is true and correct to the best of my knowledge and belief.

 TITLE