

Island Avenue,  
Peaks Island, Me. 04108  
April 6, 1973

City of Portland  
Board of Appeals  
City Hall  
Portland, Maine

Attention: Mr. William B. Kirkpatrick  
Chairman

Gentlemen: Re: Petition of Jackson & Casey of  
Peaks Island, for Zoning Ordinance  
exception.

As owner and occupant of the property across Island  
Avenue from the building in question, I would like to  
express myself as heartily in favor of the proposed  
changes by Jackson and Casey.

This building as it now stands is an eyesore and steadily  
falling into disrepair. It spoils the looks of the  
neighborhood; the surrounding homes all being well main-  
tained.

Aside from this, there is an urgent need for small  
apartments on Peaks Island, and completion of the reno-  
vation of this building as planned would add greatly to  
the efficient use of this property and also enhance the  
value of the surrounding homes.

I trust this exception to the Zoning Ordinance will be  
granted.

Yours very truly,

*Myra Norris*

Island Avenue  
Peaks Island, Maine  
April 5, 1973

Mr. William B. Kirkpatrick, Chairman  
Board of Appeals  
City of Portland, Maine

Dear Sir:

With reference to your letter of March 30, 1973 and the appeal of Jackson and Casey Plumbing and Heating with regard to the building on the corner of Island Avenue and Church Avenue, Peaks Island, I strongly endorse the proposed renovation to make it over into an apartment house in accordance with the plan submitted.

I believe it will thus serve a community need and will undoubtedly add to the appearance of the area, as well as becoming an economic asset to the City of Portland.

Yours truly,

*Margaret E. Randall*  
Margaret E. Randall-

129 Moseley Terrace  
Glastonbury, Conn. 06033

April 8, 1973

Mr. W. F. Kirkpatrick, Chairman  
BOARD OF APPEALS  
City of Portland, Maine

Dear Sir:

I am in receipt of your communication of March 30th, 1973, in regard to the variance appeal of Jackson & Casey Plumbing & Heating of Peaks Island.

It strikes me that the said request should be looked at as one of attempted salvation rather than as an attempt at development in the strict sense of the word.

Golden Cross Hall, as I remember this building being called in my youth, while somewhat the worse for wear at the moment, is, (1) there; (2) is the only eyesore in the immediate neighborhood; (3) appears to be architecturally sound; (4) is part of Peaks Island heritage; (5) is (and has been for years, apparently) in variance as a single family dwelling now; (6) could become a handsome structure again if well done, and should be qualify for variance under that exception that states "property in the same....neighborhood will not be adversely affected..." I'm sure a case could be developed within other prerequisites for exception if one would but take the time.

As one who met and played in "the hall over Cal Richardson's Store" over 40 years ago, I would be pleased to see it be given new life and would cast my vote in favor of Jackson & Casey's appeal.

Sincerely,

cc: Mrs. B. Funn  
Mrs. M. Randall  
Jackson & Casey

*Philip L. Lunn, Jr.*  
PHILIP L. LUNN, JR.  
Owner of property within 500'

119 Tahiti Village  
Estero, Fla 33928  
AND  
Centennial St.  
Peaks Island, Me. 04108

Board of Appeals,  
City of Portland, Me.  
William B. Kirkpatrick  
Chairman

Dear Sir:

In regard to your letter of March 30th concerning the hearing  
in Room 209 City Hall Portland Maine on May April 12, 1973.

This is to hear the appeal of Jackson & Casey requesting an  
exception to the zoning ordinance to permit to change the 2-family  
unit to a 5-family apartment house on the corner of Island Ave  
& Church Ave. Peaks Island...

My husband and I are ~~in~~ heartily in favor of this request.  
For 1 simple reason. It will improve the property which has been  
deteriorating over the past several years. Repairing & renovating this  
building will improve the neighborhood.

Until June 1st of last year, we owned Fisher Lodge, a small  
hotel in the same neighborhood in the same zone area, and I  
am sure we were never a nuisance to anyone of our neighbors.

On Peaks Island, we need substantial people to buy and  
restore or renovate old buildings to good condition. It is not  
only wise for esthetic reasons but it certainly helps the tax  
situation.

Hoping that his appeal will be honored

Sincerely,  
Caro L. Balcom  
Albert F. Balcom

April 9, 1973  
Centennis Street  
Peaks Island Maine, 04105

Mr. William B. Kirkpatrick Chairman  
Board of Appeals  
City of Portland, Maine.

Sir:

This letter is in regard to the matter before your Board of Appeals, Room #209, April 12, 1973., regarding the request to change the present status of the building at the corner of Island Avenue and Church Avenue, Peaks Island, Maine.

We are hopeful that your board will grant this change of zoning to Jackson & Casey Plumbing & Heating Corporation, the proposed owners, as we as property owners, and neighbors in this area would be most grateful to see this property repaired, and made available to the retired citizens of our Island, which is planned by the proposed owners. In fact we have reserved one of the apartments for my wife's mother, when the facilities are complete.

Truly yours,

Mr. & Mrs. Howard Twissall, Owners,  
Fisher Lodge, Peaks Island, Maine.

*Howard W. Twissall*  
*Howard W. Twissall*

April 9, 1973

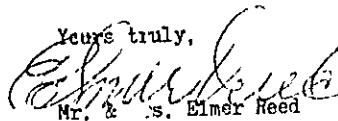
City of Portland  
in the Board of Appeals, Room 209,  
Attn: Mr. William B. Kirkpatrick, Chairman

Re: Jackson & Casey

Dear Sir:

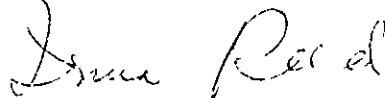
This letter to your Board of Appeals is to let you know that, as Property Owners adjoining the area to the Proposed renovation of the building at the corner of Island and Church Avenue formerly owned by M. Whitton Sr., and presently before your board to be re-zoned, we are in favor of this proposed renovation, from the present condition of said building to the proposed five family apartment building that Jackson & Casey Plumbing & Heating Corporation, Peaks Island, Maine, are requesting permission to do.

Yours truly,



Mr. & Mrs. Elmer Reed

Island Avenue, Peaks Island, Maine, 04108



CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

March 30, 1973

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, April 12, 1973 at 7:00 p.m. to hear the appeal of Jackson & Casey Plumbing & Heating requesting an exception to the Zoning Ordinance to permit and certificate of occupancy to change the use of the 2-family dwelling and store to a 5-family apartment house on the corner of Island Ave. and Church Ave., Peaks Island.

This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) The property is located in an R-3 Residential Zone where under the provisions of Section 602.4.a of the Ordinance, a 5-family apartment house is not allowable. (2) The area of the lot is only about 5600 sq. ft. instead of the minimum of 32,500 sq. ft. (5500 sq. ft. per family) required by Section 602.4.B.8.

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

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

BOARD OF APPEALS

William B. Kirkpatrick  
Chairman

**CITY OF PORTLAND, MAINE**

Legal Department  
208 City Hall  
Portland, Maine 04111



Esther A. Jordan, Hrs.

159 Helton St.

c/o Egger

Allston, Mass.



Refused  No Such   
Unknown  Uncollected   
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Insufficient Address   
Not Delivered  Arranged   
Route No.  Initialed



CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

March 30, 1973

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, April 12, 1973 at 4:00 p.m. to hear the appeal of Jackson & Casey Plumbing & Heating requesting an exception to the Zoning Ordinance to permit and certificate of occupancy to change the use of the 2-family dwelling and store to a 5-family apartment house on the Corner of Island Ave. and Church Ave., Peaks Island.

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CITY OF PORTLAND, MAINE

Legal Department  
203 City Hall  
Portland, Maine 04111

PLEASE RETURN TO SENDER  
IF NOT DELIVERED  
UNDELIVERABLE  
NO SUCH STATE  
DISCOVERED  
ADDRESS UNKNOWN  
DO NOT REMAIN IN THIS OFFICE  
PLEASE RETURN TO SENDER



Thomas J. Boland, Hrs.  
c/o Hugh Dingley  
Spring Rd.  
Gorham, Maine 04034

*M. J. Boland*  
*Hugh Dingley*

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

March 30, 1973

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**CITY OF PORTLAND, MAINE**

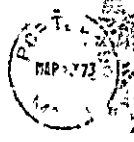
Legal Department  
207 City Hall  
Portland, Maine 04111

REASON OVER  
Unsubscribed  
Addressed as per an  
Institution Address  
No. 1000 City Hall  
No. 1000 City Hall  
No. 1000 City Hall

Eugene Temple

Island Ave.

Peaks Island, Maine 04108



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CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

March 30, 1973

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, April 12, 1973 at 4:00 p.m. to hear the appeal of Jackson & Casco Plumbing & Heating requesting an exception to the Zoning Ordinance to permit and certificate of occupancy to change the use of the 2-family dwelling and store to a 5-family apartment house on the Corner of Island Ave. and Church Ave., Peaks Island.

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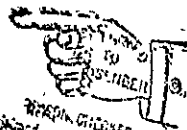
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BOARD OF APPEALS

William B. Kirkpatrick  
Chairman

**CITY OF PORTLAND, MAINE**

Legal Department  
208 City Hall  
Portland, Maine 04111



WRAP IN GLOTTED  
RECEIVED  
MAY 10 1973  
U.S. POST OFFICE  
PORTLAND, MAINE  
NO. 52000

marion E. Ring & Blanche Gregory

D Street

Peaks island, maine

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*[Signature]*

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

March 30, 1973

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BOARD OF APPEALS

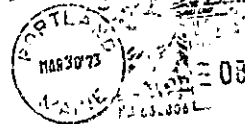
William B. Kirkpatrick  
Chairman

**CITY OF PORTLAND, MAINE**

Legal Department  
203 City Hall  
Portland, Maine 04111

PERSONS OF COLOR  
DOROTHY A. JONES  
HERBERT A. JONES  
PEAKS ISLAND, MAINE  
C4108

Herbert A. & Dorothy A. Jones  
Elizabeth St.  
Peaks Island, Maine C4108



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098  
[Signature]



April 6, 1973

Jackson & Casey Plumbing & Heating  
Evergreen Ave.  
Peaks Island, Maine 04108

April 12, 1973

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

March 30, 1973

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BOARD OF APPEALS

William B. Kirkpatrick  
Chairman

65

Island ave, Peaks Island  
77-n-6

\* Island ave  
77-W-1, 2, 3, 4, 5, 7, 8 ✓  
77-T-17 ✓

\* Island ave  
77-K-8, 9, 10, 11, 12, 16, 17, 18 ✓  
19, 20, 21 ✓

Mechanic St  
77-N-16, 17, 18 ✓  
77-L-1, 2, 3 ✓

Pleasant ave  
77-K-7, 13, 14, 15 ✓  
77-L-6, 7, 5 ✓

Varde Place  
77-N-15, 14, 13 ✓  
11, 12 ✓

B Street  
77-M-9, 10, 11 ✓

Natch St  
77-W-4, 5, 6, 7 ✓  
12, 11, 10, 9 ✓

" D Street  
Entire ✓

Centennial St  
77-NW-1, 2, 3, 4, 5, 6 ✓  
77-60-4, 5, 6, 7, 8, 9 ✓  
77-PP-5 ✓

Church ave  
77-N-1, 2, 3, 4, 5 ✓  
77-N-30, 31, 32 ✓

Elyabeth St  
77-7-26, 27, 28, 29, 30 ✓  
31, 32, 33, 34 ✓

Island ave  
77-Y-20, 21, 22, 23, ✓  
25, 26, 27, 28, 29 ✓

Elyabeth St  
77-Y-18, 17, 16, 15, 14, 13 ✓  
12, 11, 10, 9, 8, 7 ✓

Peaks Island

(1)

Island Ave.

- 87-W-1 - Mary Costello - Peaks Island  
87-W-2 - Same  
87-W-3 - Emma & James Reed - Grand Ave Peaks Island  
87-W-4 - Mildred E Casey - Island Ave - Pks I.  
87-W-5 - Same  
87-W-7 - Chas Lewis - 53 Lincoln St Stoneham, Mass 02180  
87-W-8 - Eugene Temple - Island Ave - Pks Isl  
87-T-9 - Lillian Clough - Island Ave - Pks Isl.

Mechanic St

- 87-W-16 - Albert H & Cora R Balsom - Centennial St Pks Isl  
87-W-17 - Helen B. Pioretti - 29 Marshall St  
87-W-18 - Miss V  
87-Y-1 - Louis & Josephine Inc - Hotel St Peaks Island  
87-Y-2 - Wm H P Coyne - 35 East Kidder St  
87-Y-3 - Francis A & Marion C. Litchfield - Centennial St Pks Island

Verde Place

- 87-W-15 - Miss V  
87-W-14 - Miss V  
87-W-13 - Miss V  
87-W-11 - Carson E Hunt Glass Miss V  
87-W-12 - Miss V

Natuck St

- 87-V-4 - Douglas E. & Anne - Centennial St. <sup>St.</sup>
- 87-V-5 - Same
- 87-V-6 - Same
- 87-V-7 - Jacob R. & Esther Collins - <sup>St. John</sup> <sub>Is.</sub>
- 87-V-12 - ~~Thomas~~ <sup>Thos</sup> Neup ✓
- 87-V-11 - Alfonso & Bridgett Rinaldi - 377 Congress St
- 87-V-10 - <sup>Russell E. J.</sup> Jackson - Natuck St - Peaks Is.
- 87-V-9 - Ruth Rickard - 5 Rose St - Auburn, Me.

Centennial St

- 87-NV-1 - Alice M. Miller Mrs - <sup>40 Raymond Bayle</sup> <sub>Centennial St</sub>
- 87-NV-2 - Meredith Tropehen et al - <sup>348 Pagan Rd</sup> <sub>Peaks Island</sub>
- 87-NV-3 - John J. & Maria W. Flynn - Peaks Is.
- 87-NV-4 - <sup>Harold W. Fox & Margaret</sup> Turstall?
- 87-NV-5 - Same
- 87-00-6 - ~~Dorcas~~ <sup>John J. & Maria W. Flynn</sup> ~~Peaks Island~~?
- 87-00-4 - Neup ✓
- 87-00-5 - "
- 87-00-6 - " John J. & Maria W. Flynn - Peaks Is.
- 87-00-7 - "
- 87-00-8 - Edward S. Fraser - <sup>P.O. Box 24</sup> <sub>Peaks Island</sub>
- 87-00-9 - ?
- 87-00-5 - Lucius H. & M. Lighton Childs -   
Centennial St - Peaks Is.

Elizabeth St.

- 87-2-26 - Fred W. Stephens - 120 Charendon Terrace - Newington, Conn
- 87-7-27 - Luther P. Foster et al (P/M/P) - 119 Derby St - Peabody, Mass
- 87-7-28 - Daniel R. & E. J. Hansen - 119 Derby St - Peabody, Mass
- 87-7-29 - Sarah J. Wright - 119 Derby St - Peabody, Mass
- 87-7-30 - Herbert A. & Elizabeth A. Jones - 44 Elm Street - Peabody, Mass
- 87-7-31 - John F. & Josephine M. Mulhearn - 1.5 W. Seventh St - Peabody, Mass
- 87-7-32 - Same - So. Boston, Mass.
- 87-7-33 - J. Bruce C. & Luise Wetherington - Luther St - Peabody, Mass
- 87-7-34 - Luther St - Peabody, Mass

Island Ave.

- 87-K-8 - Bertha K. Mullins - Pleasant Ave - Peabody, Mass
- 87-K-9 - Chester K. Madson - 9 Oswald St - Worcester, Mass
- 87-K-10 - Same - Worcester, Mass
- 87-K-11 - Marie E. Kimball - Peabody Island
- 87-K-12 - Anne M. Corrod - 38 Mayhew St - Peabody, Mass
- 87-K-16 - Robert F. & Marcia C. Sigmond - 26 Albion St - Peabody, Mass
- 87-K-17 - Helen M. Patterson - Peabody Island
- 87-K-18 - Luther A. Jordan, Mrs - 159 Bolton St - Peabody, Mass
- 87-K-19 - Dup K - Allston, Mass
- 87-K-20 - Blanche M. Regan & Eileen K. Hoff - Peabody Island
- 87-K-21 - Same - Peabody Island



Pleasant Ave. dup ✓

87-K-7-11 Maria E. Kent - Peaks Island, Tex

87-K-13 - Emily A. Agnes (A. Brien) (P./m/P) ✓

87-K-14 - Chap P.

87-K-15 - Same

87-L-6 - Brackets from Meth Church - Peaks Island

87-L-9 - Vance M. Stevens - 25 Maryland St

87-L-8 - Barbara J. Neitzel - 148-19 Willis St Blvd  
Whitestone, N.Y. 11357

"B" Street

87-M-9 - Methodist Episcopal Soc. - 1/2 John Brackett St  
Peaks Island

87-M-10 - dup ✓

87-M-11 - Trustees of The Brackets from Methodist Church  
Peaks Island

"D" Street (Entire)

87-V-1 Donald E & Ritta B Kendall - Church Ave  
Peaks Isl.

87-V-3 Andrew W & Madeline M. Torrey - 119 Indian St

87-V-5 Marion C. Ring & Blanche Gregory  
"D" St Peaks Island

87-V-7-8 dup ✓

87-N-9 Richard J & Fay E Ring - 19 Linden St

87-N-10 Alfred M. Deagle - "D" St - Peaks Isl

Church Ave

- 87-V-1 -dup ✓
- 87- -2 - Andrew Mosey - 119 India St.
- ~~87- -3~~
- ~~87- -4~~
- ~~87- -5~~
- 87-V-30 } Margaret E. Randalls dup ✓
- 87-V-31 }
- 87-V-32 - Church - dup ✓

Island Ave

- 87-V-20 - Milder A. Jr & Estelle Whitten - <sup>Island Ave</sup> Peaks Isl.
- 87-V-21 - Eugene L. & Elizabeth T. Tabbette - <sup>85 Island Ave</sup> Peaks Isl.
- 87-V-22 - Robt. S. Jr. & Ruth A. Briggs - Peaks Island
- 87-V-23 - Bertie H. Thompson - <sup>Island Ave</sup> Peaks Island
- 87-V-25 - No name ?
- 87-V-26 - J. Annett, W. Cass - <sup>10 Weyfield St.</sup> Dedham, Mass.
- 87-V-27 - Myra Norris - Peaks Island
- 87-V-28 - Margaret E. Randall - <sup>Island Ave</sup> Peaks Isl.
- 87-V-29 - Beatrice O. Munn - <sup>Church Ave</sup> Peaks Island

Edgely St.

- 87-V-18 - Lissy W. Giles - Peaks Island
- 87-V-17 - Mildred E. Bishop - <sup>Weyfield St.</sup> Peaks Island
- 87-V-16 - John S. Parvins - <sup>Edgely St. off Island St. New York</sup> Peaks Isl.
- 87-V-15 - Arthur W. Lohby - 415 Congress St.
- 87-V-14 - Wm. A. Sterling - <sup>Islands (P/O/P)</sup> ✓
- 87-V-13 - Margaret E. Parvins dup ✓
- 87-V-12 - <sup>Home</sup> (over)

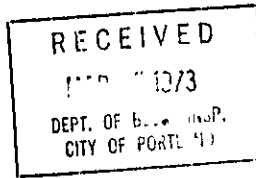


15 Mar 1973

To Whom It May Concern -

Jackson and Casey Plumbing  
and Heating Corp. proposed  
apartment building located  
at Island and Church Sts,  
Peak Island, have my  
permission to park three  
cars in vacant area on my  
property. *next door*

Mildred E. Casey



corner Island Ave. & Church Avenue  
Peaks Island  
87-W-6

March 21, 1973

cc to: Corporation Counsel .

Jackson & Casey Plumbing & Heating  
Evergreen Avenue  
Peaks Island

Gentlemen:

Building permit and certificate of occupancy to change the use of the 2-family dwelling and store at the above named location to a 5-family apartment house are not issuable under the Zoning Ordinance for the following reasons.

1. The property is located in an R-3 Residential Zone where under the provisions of Section 602.4.a of the Ordinance a 5-family apartment house is not allowable.

2. The area of the lot is only about 5600 sq. feet instead of the minimum of 32,500 sq. feet, (6500 sq. feet per family, required by Section 602.4.B.8.

We understand that you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of \$15.00 for a variance appeal shall be paid at this office at the time the appeal is filed. If fee has been paid and appeal filed prior to this letter then consider this letter as a matter of formality.

Very truly yours,

Malcolm G. Ward  
Plan Examiner

MGW:m

ASSESSORS MAP

3/21/73 MGD.

W 87 - W - 6 ISLAND AVE. COR. CHURCH AVE  
CHANGE OF USE STORE & TWO APTS.  
TO FIVE APTS.

CHECK LIST AGAINST ZONING ORDINANCE

✓ Date - EXISTING

→ Zone Location - R-3

~~Interior~~ or corner lot -

40 ft. setback area (Section 21) - *N/D*

→ Use - *A.P.T. HOUSE (5 UNITS) (602.4/A)*

Sewage Disposal -

Rear Yards -

Side Yards -

Front Yards -

Projections -

Height -

Lot Area - *5600 # - 6500 # REQ.*

Building Area -

→ Area per Family - *5600 # - 32,500 # REQ. (602.4.B.8)*

✓ Width of Lot - *70'*

✓ Lot Frontage - *70'*

Off-street Parking - *SHOWS 3 ADDITIONAL SPACES ON*

Loading bays - *NEXT DOOR (TOTAL OF 5 REQ.)*  
*PROPERTY*

3/8/73

ADDRESS Plan 12 Lot 425 Island

Peck Island

ROUTING SLIP

FROM

DEPARTMENT OF BUILDING AND INSPECTION SERVICES

FIRE DEPARTMENT

PLANNING BOARD

RENEWAL

MAINE WAY

OTHERS

APPROVED

DISAPPROVED BY REASON OF

(quote section of pertinent ordinance or other governing factors)

SPECIAL COMMENTS: This permit is approved subject to the installation of an approved automatic fire detection and alarm system.

5047402

KEEP SECOND COPY AND RETURN ORIGINAL TO BUILDING AND INSPECTION SERVICES



A) APARTMENT HOUSE ZONE

APPLICATION FOR PERMIT

PERMIT ISSUED

01316  
AUG 12 1953

Class of Building or Type of Structure Installation

Portland, Maine, August 7, 1953

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish or 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 Island Avenue, Peaks Island 27-11-6 Within Fire Limits? no Dist. No.

Owner's name and address Whitton's Store, Peaks Island Telephone

Lessee's name and address Telephone

Contractor's name and address A. F. Briggs Co., 369 Forest Ave. Telephone

Architect: Specifications Plans Fire Dept. No. of sheets 1

Proposed use of building store No. families

Last use " No. families

Material wood No. stories 1 Heat Style of roof Roofing

Other buildings on same lot

Estimated cost \$ Fee \$ 2.00

General Description of New Work

To install refrigeration equipment as per plan. Unit on first floor. Freon 12 - refrigerant

5/7/53  
5/12/53  
CERTIFICATE OF OCCUPANCY  
REQUIREMENT IS WAIVED

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 A. F. Briggs Co.

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?

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 flo. 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 commercial cars to be accommodated

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

APPROVED:

Chas. T. Subow

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

Whitton's Store  
A. F. Briggs Co.

Signature of owner by:

Walter F. Kimball



City of Portland, Maine  
Board of Appeals  
--ZONING--

*Sustained Conditionally  
2/13/53*

February 23, 1953, 19 53/13

To the Board of Appeals:

Your appellant, Meldea A. Whitton, who is the owner of property at Island Ave. (Assessor's Lot #87-N-6) 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.

Certificate of occupancy to authorize storage of Liquefied Petroleum gas in cylinders to the amount of approximately 700 gallons on the lot with the store and lodge building on Island Avenue, Peaks Island is not issuable under the Zoning Ordinance because the property is located in an Apartment House Zone where such use is not allowable.



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.

*Meldea A. Whitton*  
Appellant

After public hearing held on the 13th day of February, 1953, 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 no more than 700 gallons of liquefied gas will be stored on the premises at any one time and provided also that the said gas may be stored only on the proposed platform exactly as located on the lot as shown on the plan presently on file in the Building Inspector's Office.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case, provided that no more than 700 gallons of liquefied gas will be stored on the premises at any one time and provided also that the said gas may be stored only on the proposed platform exactly as located on the lot as shown on the plan presently on file in the Building Inspector's Office.

*William H. O'Brien*  
*James P. Wilson*  
*Harvey K. Torrey*  
BOARD OF APPEALS

DATE: FEBRUARY 13, 1953

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF MELDEAN A. WHITTON

AT ISLAND AVENUE, PEAKS ISLAND (ASSESSORS LOT # 27-W-6)

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	
EDWARD T. COLLEY	(✓) ( )	PROVIDED THAT NO MORE THAN 700 GALLONS OF
ROBERT L. GETCHELL	(✓) ( )	LIQUEFIED GAS BE STORED ON THE PREMISES AT
WILLIAM H. O'BRIEN	(✓) ( )	ANY ONE TIME AND PROVIDED ALSO THAT THE
BEN B. WILSON	(✓) ( )	SAID GAS MAY BE STORED ONLY ON THE PROPOSED
HARRY K. TORREY	( ) ( )	PLATFORM EXACTLY AS LOCATED ON THE LOT AS
	( ) ( )	SHOWN ON THE PLAN PRESENTLY ON FILE IN THE
	( ) ( )	BUILDING INSPECTOR'S OFFICE.
	( ) ( )	
	( ) ( )	

Record of Hearing:

OPPOSED:

WILLIAM PINANSKY, representing Mrs. Clark, owner of adjoining property.

IN FAVOR:

MRS. ALICE BUBIER, ELIZABETH STREET  
AMELIA CURRAN, 34 RACKLIFF STREET  
DISTRICT MANAGER FROM THE GAS COMPANY



CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

February 10, 1953

Mr. Meldean A. Whitton  
Peaks Island, Maine

Dear Mr. Whitton:

The Board of Appeals will hold a public hearing in  
the Council Chamber, City Hall, Portland, Maine on Friday,  
February 13, 1953 at 10:30 a. m. to hear your appeal under  
the Zoning Ordinance.

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

Very truly yours,

Edward T. Colley

Chairman

X

WARREN McDONALD  
INSPECTOR OF BUILDINGS

On reply refer  
to file 6AP335-Brighton-Ave;

FU

CITY OF PORTLAND, MAINE

Department of Building Inspection

January 30, 1953

Mr. Meldea A. Whitton,  
Peaks Island,  
Maine

✓ Copy to: Corporation Counsel

Dear Mr. Whitton:

We are unable to issue a certificate of occupancy to authorize storage of Liquefied Petroleum gas in cylinders to the amount of approximately 700 gallons on the lot with the store and lodge building on Island Avenue, Peaks Island (Assessor's Lot No. 87-W-6) because the property is located in an Apartment House Zone where such a use is not allowable.

You have expressed a desire to exercise your appeal rights concerning this matter and accordingly we are enclosing an outline of the appeal procedure and are certifying the case to the Corporation Counsel, who acts as clerk for the Board of Appeals.

Very truly yours,

AJS/H  
Enc: Appeal procedure

Inspector of Buildings

C  
O  
P  
Y

6AP335 Brighton Ave.

January 30, 1953

Mr. Meldea A. Whitton,  
Peaks Island,  
Maine

Copy to: Corporation Counsel

Dear Mr. Whitton:

We are unable to issue a certificate of occupancy to authorize storage of Liquefied Petroleum gas in cylinders to the amount of approximately 700 gallons on the lot with the store and lodge building on Island Avenue, Peaks Island (Assessor's Lot No. 87-W-6) because the property is located in an Apartment House Zone where such a use is not allowable.

You have expressed a desire to exercise your appeal rights concerning this matter and accordingly we are enclosing an outline of the appeal procedure and are certifying the case to the Corporation Counsel, who acts as clerk for the Board of Appeals.

Very truly yours,

AJS/H  
Enc: Appeal procedure

Inspector of Buildings

M. A. WHITTON'S STORE  
Peaks Island, Maine

January 29, 1953

Mr. Warren McDonald  
Inspector of Buildings  
Portland, Maine

Subject: C-53, 3 Island Ave., P. I.  
(Assessor's Lot No. 87-W-6)

Dear Mr. McDonald:

In line with our conversation I am forwarding to you a sketch of my property located on Island Avenue, Peaks Island, Maine, which provides the lot dimensions and the size of my present store.

My request is to store Liquefied Petroleum gas, quantity to be approximately seven hundred (700) gallons, on my property, on an approved platform.

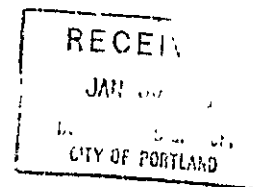
The storage location shall abide by all regulations as set forth in the Standards of the National Board of Fire Underwriters, Booklet No. 58.

Sincerely,

/cjm

Meldeau Whitton

*Meldeau A. Whitton*



CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

February 3, 1953

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine on Friday, February 13, 1953 at 10:30 a. m. Eastern Standard Time to hear the appeal of Maldern J. Whitton requesting exception to the Zoning Ordinance to authorize storage of Liquefied Petroleum gases in cylinders to the amount of approximately 700 gallons on the lot with the store and former lodge building on Island Ave., Perks Island.

This permit is presently not issuable under the Zoning Ordinance because the property is located in an Apartment House Zone where such a use is not allowable.

This appeal is taken under Section 18E 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

EDWARD T. COLLEY

Chairman

K

APPEAL

Lot 87-W-6

ISLAND AVE P. Island,

1/3-153

Streets.

Island Ave:

✓ Lots # 87-5, 1, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21

✓ Lots # 87-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21

✓ Lots # 87-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21

✓ Lots # 87-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21

✓ Lots # 87-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21

✓ Lots # 87-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21

✓ Lots # 87-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21

Pleasant-Ave

✓ Lots # 87-K, 6, 7, 15, 14 ✓ Lots # 87-L, 7, 8, 9 ✓ incl

✓ 87-K-7-11-10 ✓

Watick St.

✓ Lots # 87-U, 9, 12 ✓ incl. ✓ Lots # 87-V, 4, 7, 6, 5, 4 ✓

Mechanic St.

✓ Lots # 87-V, 1, 2 ✓ Lots # 87-W, 13, 17 ✓

Varde Pk. off Centennial St.

✓ Lots # 87-W, 13, 14, 12 ✓

Centennial St.

✓ Lots # 87-U, 5, 12 ✓ ✓ Lots # 87-V, 3, 4 ✓ ✓ Lots # 87-W, 16, 15, 11 ✓

✓ Lots # 87-EP 3, 4, 5 ✓ ✓ Lots # 87-M 1-5 ✓ incl. ✓

✓ Lots # 87-00 13-27 ✓ incl. ✓

B. Street

✓ Lots 87-6, 5 ✓ ✓ Lots 87-M, 11, 9, 10 ✓

C. Street

✓ Lots # 87-M, 9, 7, 8 ✓ ✓ Lot # 87-N 11, 11, 12 ✓

Church St.

✓ 87-Y-1, 2, 3, 1, 30, 29 ✓

OVER

D- street

Lots # 87-11, 9. 87-1, 3, 4, 5

Elizabeth St.

Lots # 87-14, 7, 8. Lots # 87-11, 10-18 incl.  
Lots # 87-2, 4, 23-36 incl.

Island Ave, Peaks Isl.  
Whittore

1/30/53

(90)

Island Ave -

22

- 37-K-15 - City of Port
- " 16 - Pauline Russell Hatch, Peaks Island, Me.
- 17 - John J. Spree, NR Island Ave, Peaks Island
- 18 - Esther A. Jordan, 245 E. Norfolk St.
- 19 - Amelia A. Cuman + Agnes M. Mendonca, 34 Parkhill St.
- 20 - Blanche H. Regan + Eileen R. Hoff, Island Ave, Peaks Island
- 21 - " " "
- 9 - Ruth R. Sturgis, 298 State St.
- 12 - Dup
- +
- 97-Y-19 Marion S. Giles, Peaks Island, Me.
- 20 - Laura C. Sterling, Island Ave, Peaks Island
- 21 - Albert C. Trufelsen, Island Ave, Peaks Island
- 22 - Louise M. Cranchett, NR, 38 Latham St., So. Portland
- 23 - " " "
- 24 - " " "
- 26 - Beatrice H. Thompson, Island Ave, Peaks Island
- 27 - Carlisle J. Elliott, Island Ave, Peaks Island, Me.
- 27 - Margaret E. Randall, Peaks Island, Me.
- 27-T-6-7 June D. Cuskey, Island Ave, Peaks Island, Me.
- 27-Y-8 Sarah Levy, NR 395 Stratford Road, Brooklyn, N.Y.
- 7 - Gustave C. Weinberg, Elizabeth St Peaks Island
- 6 - Dup
- 87-N-1 Mary Costello, Peaks Island, Me.
- 2 - " " "
- 4 - Iny Hansen, Island Ave, Peaks Island, Me.
- 3 - Thomas S. Stephens, Island Ave, Peaks Island, Me.  
Pauline Fielding
- 5 - Dup
- 7 - Marguerite C. Clark, Island Ave, Peaks Island
- 8 - Eudene P. Temple, Brackett Ave, Peaks Island, Me.
- 9 - Dup
- 10 - Annie M. Robinson, 16a Milton St.





Mechanic St., Peaks Isl.

3

- 87-W-17 Helen B. Probst 224 York St.
- 18 Horace S. Lumbree, NR, 140 Main St. Bridgeton, Me.
- 87-V-2 Dorothy L. Keason, Mechanic St. Peaks Island, Me.
- 1 Dup

Vaudr Place

15

- 87-W-12 Hattie W. Thomas, 402 Cumberland Ave.
- 13 Dup
- 14 "

Centennial St.

- 87-W-12 Dup
- 5 Edw. L. Parsons, Haze, Peaks Island, Me.
- 3 Jessie L. Thomas, Centennial St. Peaks Island
- 4 Dup
- 87-W-11 Carrie E. Doulle, Peaks Island, Me.
- 15 Agnes L. Barber, Peaks Island, Me.
- 16 Dup

- 87-PP-5 Evelyn M. Frallick, 110 High St
- 3-4 Dup

- 87-NM-5 Michael Keashea NR, 115 Dorchester Rd, Brooklyn, N.Y.
- 4 "
- 3 Clara J. Miltimore, Centennial St. Peaks Island, Me.
- 2 Meredith L. Tupper, et al. (N.R.) 1 Ocean St, So. Port.
- 1 Alice M. Miller, Peaks Island, Me.

- 87-00-8 Edward S. Finner NR, 1 Whitney St, Northboro, Mass.
- 7 Fred P. Y. Lucas M. Ramadelle NR Centennial St. Peaks Island
- 6 Dup
- 5 "
- 4 "
- 11 "

B St - Deane - Island

4

87-L-5 Stuart C. Craggins, 3 Grant St.

87-M-9 Methodist Episcopal Socy, Peake Island, Me.

19

10 Casco Bay St. + Power Co. Island Ave. Peake Island

11 Dup

C Street

87-N-10 Richard R. McIntyre, Jr, 1st St, Peake Island, Me.

11 Josephs Ericss, Elizabeth St, Peake Island

12 Alfred J. + Alma C. Percup, Elizabeth St, Peake Island

87-M-7-8 Dup

6 Portland Water District, 16 Casco St.

Church Assoc

87-Y-29 Margaret E. Randall, Peake Island, Me.

30

31

32

Henny St. + Cora C. Greene Church Ave, Peake Island

2 Edith M. + Gustav A. J. Hanson, 125 Grant St.

1 Kathryn Whitney Smith NR, Peake Island  
Casco Island

D Street

87-Y-3 Andrew + Marcia M. May, Elizabeth St, Peake Island

4-5 Barbara J. Stansby, Casco Island, Me.

87-N-9 Rice H. Jansen, 9 1/2 St.

Elizabeth St.

87-Z-24 Alice M. Cubier, Elizabeth St, Peake Island, Me.

25

26

27

28

29

Marion L. Stephenson, Elizabeth St, Casco Island

Cather P. Foster, et al, 160 Casco St.

Raymond B. Hansen, Elizabeth St, Peake Island

Geo. H. Higgins, 90 Mrs. Tral' Thibet, New Island Ave Peake Island

Eliz. St., Peaks Island, Me.

- 87-I-30 Monell M. Jones, Elizabeth St. Peaks Island, Me.
- 31. Ina V. Brown, Elizabeth St. Peaks Island, Me.
- 32 " " "
- 33-34-26. Carrie C. & Marie H. Church, Peaks Island, Me.
- 36 Maria C. Rowland, 52 Chestnut St.

87-Y-15. Deep

- 17 Melville S. Bishop, Jones St. Peaks Island, Me.
- 16 Arthur W. Ross, Elizabeth St. Peaks Island
- 15 Arthur W. Libby, 402 Eastern Prom.
- 14. Wm. A. Stebbins, et al., Peaks Island, Me.
- 13 Robinson C. V. Stebbins, No. 2, Island Ave. Peaks Island
- 12 Leedom A. Stebbins, 112 Main St. Peaks Island, Me.
- 11 Thomas J. Boeand, Frank R. Gathright, Ferguson, Westbrook, Me.
- 10 Nancy E. Stebbins, Mrs. Peaks Island, Me.
- 9 Ina & Annette B. Stebbins of, Elizabeth St. Peaks Island
- 8 " " "
- 7 Margorie L. Jones MR Freeport, Me.
- 6 Joseph's Dick Day

87-N-8 Deep

- 7 " "
- 6 " "



# APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, Jan. 23, 1953

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~erect~~ alter ~~existing~~ ~~building~~ ~~structure~~ ~~and~~ ~~par~~ 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 Island Ave., Peaks Island 97-W-6 Within Fire Limits? no Dist. No. \_\_\_\_\_

Owner's name and address Meldeau A. Whitton, Park Ave., Peaks Island Telephone 6-2974

Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_

Contractor's name and address owner Specifications \_\_\_\_\_ Plans no. \_\_\_\_\_ No. of sheets \_\_\_\_\_

Architect \_\_\_\_\_ No. families 1

Proposed use of building store and dwelling house No. families 1

Last use \_\_\_\_\_ Roofing \_\_\_\_\_

Material wood No. stories 2 1/2 Heat \_\_\_\_\_ yle of roof \_\_\_\_\_

Other buildings on same lot \_\_\_\_\_ Fee \$ .50

Estimated cost \$21.50

### General Description of New Work

To change two windows to <sup>two garage</sup> doors in basement on rear of building.  
 10x10 sill existing over ~~existing~~ <sup>new</sup> garage door openings.  
 Basement is used for storage in connection with store and was so used before 1938.

*This work was all done before  
 apply for permit, so charge off  
 without issuance*

*HW*  
*7/24/53*

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** owner

### 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? \_\_\_\_\_

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 \_\_\_\_\_

Mat'l 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 \_\_\_\_\_, height? \_\_\_\_\_

!! one story building with masonry walls, thickness of walls? \_\_\_\_\_

### If a Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_ number commercial cars to be accommodated \_\_\_\_\_

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

### 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

APPROVED:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Meldeau A. Whitton*



East

Property 70'x80'

Jalama ave.

48'

40'

Building  
Golden Cross Hall  
owned by  
Whitton's Store

City number

80' Frontage

South

Jalama ave.

Wall

RECEIVED  
JAN 30 1933  
DEPT. OF BLDG. INSP.  
CITY OF PORTLAND

From Building 12'  
8'  
From Property Line 20'

Platform for  
Bottle Gas

16'

25'

Physical

70' deep.  
Heat

Property line



(1) APARTMENT HOUSE ZONE  
 CITY OF PORTLAND, MAINE  
 DEPARTMENT OF BUILDING INSPECTION

COMPLAINT

INSPECTION COPY

COMPLAINT NO. 53/3

Date Received January 16, 1953

Location  
 87-1-6  
 Island Ave., Peaks Isl.

Location Island Ave., Peaks Island Use of Building Store  
 87-W-6  
 Owner's name and address Meldeau A. Whitton, Park Ave., Peaks Isl. Telephone 6-2974  
 Tenant's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Complainant's name and address Mr. Ellis Clough, Island Ave., Peaks Island Telephone \_\_\_\_\_

Description: Using rear yard of store for storage of bottled gas tanks. Some stored 25' from adjoining building. Yard not used for storage in connection with business before.

NOTES:  
1/19/53 - Mrs. Marguerite C. Clark called about this  
matter. Also that owner is constrained to  
use space in cellar. She says this will  
be done within the next  
10 days.  
1/22/53 - Phoned Mr. Whitton who said he had entered into contract with some distributor  
of liquefied petroleum gas to carry on their business on the Island, and that he had been  
storing tanks of the gas in the rear yard for a week or 10 days. He was told that this  
practice was in violation of the Zoning Ordinance and that he would have to take immediate  
steps to remove the tanks to some lawful location. He said that he had installed large  
doors in the rear wall of the basement in place of certain windows because the boys kept  
breaking the windows and because the doors would give him better opportunity to carry  
material through. He was told that this work undoubtedly requires a building permit,  
but that we would write him further about that and the zoning violation. McD.  
1/22/53 See letter. McD.  
7/21/53 - No further attention necessary. JMcD



Island Ave. Peaks Island Assessor's Lot No. 87-W-6

WMCD 1/29/53

January 22, 1953

Mr. Maldeau A. Whitton  
Park Ave.,  
Peaks Island, Maine

Dear Mr. Whitton:

As explained to you over the phone this morning, the practice of storing tanks of liquefied petroleum gas in the rear of your store on Island Ave., Peaks Island (Assessor's Lot No. 87-W-6), a practice which I understood you to say, you commenced a week or ten days ago, is not allowable under the Zoning Ordinance because your property is in an Apartment House Zone, where such a use of property is not allowable under Sect. 8A of the Ordinance applying to such zones.

Thus you and the property are in violation of the Zoning Ordinance, a situation which I am directed by law to report to the Corporation Counsel for whatever action he deems necessary to compel compliance with the law.

While no one has any right to authorize any continuation of violation of law, it is understandable that you have entered into this practice unaware of the prohibition and may find some difficulty in placing the property in conformity with the law on the instant. If, however, these tanks are not disposed of off the property to some location where they are allowed by the Zoning Ordinance and the business of selling liquefied petroleum gas on the premises, as far as it involves any storage whatever, is not discontinued before January 29, 1953, I shall be compelled to report the violation to the Corporation Counsel for whatever action he deems necessary to compel compliance.

It also appears that there has been some type of alteration of the openings in the rear wall of your building to give better access to the basement. From your description over the telephone, it seems likely that the work done requires a building permit from this department under the Building Code before the work is started. Unless you intend to restore the former situation as to openings, it is important that you file a related application for the building permit to cover these alterations already made. With the application for the permit should be a description indicating just how the work has been done, what the purpose of it is and what the basement is being used for, how long that use has been carried on, and if you are able to ascertain, what the entire basement was used for in the latter part of 1938.

Your spoke of coming to the office to talk these matters over. It would be well to telephone and set some time when you will come, otherwise I may be out of the office when you arrive.

Very truly yours,

Warren McDonald  
Inspector of Buildings

WMCD/B



(A) APARTMENT HOUSE ZONE  
APPLICATION FOR PERMIT

PERMIT ISSUED  
0030500  
CITY OF PORTLAND

Class of Building or Type of Structure Third Class  
Portland, Maine, March 29, 1950

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE  
The undersigned hereby applies for a permit to erect alter repair or reconstruct the following building or buildings 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: 87-11-6

Location Island Ave. Peaks Island Within Fire Limits? no Dist. No. \_\_\_\_\_  
Owner's name and address corner Church St. Meldeau A. Whitton, Peaks Island Telephone \_\_\_\_\_  
Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Contractor's name and address owner Telephone \_\_\_\_\_  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans no No. of sheets \_\_\_\_\_  
Proposed use of building Retail store, apt. and assembly hall No. families 1  
Last use \_\_\_\_\_ No. families \_\_\_\_\_  
Material frame \_\_\_\_\_ No. stories 2 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_ Fee \$ .50  
Estimated cost \$ 25. **PERMIT TO BE ISSUED**

General Description of New Work

To remove non-bearing partition in first story which separates the customers space of the store from the former entrance hallway of the second story assembly hall; this hallway having been used since 1938 or before as an adjunct of the retail store by the way of storage.

The second story assembly or lodge hall has not been used for a long time except for incidental storage in connection with store and otherwise; and will not be used at any time for assembly use or similar unless or until the Building Code and Safety Law has been complied with as to that use.

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** owner

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 framing \_\_\_\_\_  
No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
Framing lumber—Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_ Size \_\_\_\_\_  
Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger board? \_\_\_\_\_  
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 \_\_\_\_\_ height? \_\_\_\_\_  
If one story building with masonry walls, thickness of wall? \_\_\_\_\_

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? \_\_\_\_\_

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? es

APPROVED:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of owner: Meldeau A. Whitton

PH

NOTES

APPLICATION FOR PERMIT

Permit No. 54/375  
 Location 1013 Pine Oaks Blvd  
 Owner Mrs. William A. Obbitt  
 Date of permit 3/30/50  
 Notif. closing-in  
 Inspn. closing-in  
 Final Notif.  
 Final Inspn.  
 Cert. of Occupancy Issued

RECEIVED

The undersigned hereby certifies that the above information is true and correct to the best of his knowledge and belief, and that the same is in accordance with the provisions of the laws of the State of North Carolina, and that the same is in accordance with the provisions of the laws of the State of North Carolina, and that the same is in accordance with the provisions of the laws of the State of North Carolina.

Signature of Applicant: \_\_\_\_\_  
 Signature of Inspector: \_\_\_\_\_  
 Date: \_\_\_\_\_

The undersigned hereby certifies that the above information is true and correct to the best of his knowledge and belief, and that the same is in accordance with the provisions of the laws of the State of North Carolina, and that the same is in accordance with the provisions of the laws of the State of North Carolina, and that the same is in accordance with the provisions of the laws of the State of North Carolina.

Signature of Applicant: \_\_\_\_\_  
 Signature of Inspector: \_\_\_\_\_  
 Date: \_\_\_\_\_

AP Island Avenue, Peaks  
Island, corner of Church  
Street (H. A. Whitton)-1

January 24, 1949

Mr. H. A. Whitton  
Park Avenue  
Peaks Island, Maine  
Mr. Roland S. Hear  
Island Avenue  
Peaks Island, Maine

Subject: Application for building permit to  
cover alterations in the building owned by  
H. A. Whitton on Island Avenue, Peaks Island,  
corner of Church Street to enlarge the exist-  
ing retail store there, and proposed zoning  
appeal relating thereto

Gentlemen:

The building permit to enlarge this store is not issuable under the Zoning Ordinance because the property is located in an Apartment House Zone. According to Section 7A of the ordinance, the existing retail store is not included in the list of allowable uses in an Apartment House Zone, being allowed to continue because it existed when the Zoning Ordinance was adopted in 1938; and according to Section 13A, such a non-allowable or non-conforming use shall not be extended to any other part of the building.

The owner has indicated his desire to seek an exception to these provisions of the ordinance from the Board of Appeals, claiming that such an exception in this specific case would grant reasonable use of the property, is necessary to avoid confiscation and may be accomplished without substantially departing from the intent and purpose of the Zoning Ordinance. There is enclosed, therefore, an outline of the appeal procedure.

Should the appeal be successful, we will need considerable more information in order to show compliance with Building Code requirements which we are required to have shown before a building permit can be issued.

While we can hardly make a detailed check of the proposal against Building Code requirements, pending decision of the Board of Appeals, a few problems present themselves at first glance, and the owner ought to take these at least into consideration as to whether or not he can do them before filing the zoning appeal.

Unless use of the second floor for an assembly hall is to be permanently abandoned, fire resistive construction will be required between the proposed new part of the store and all parts of the assembly hall occupancy. This would probably mean the ceiling over the new part of the store, especially. If the hall were to be used, as formerly, strictly for a lodge hall without any commercial aspects whatever, it would be classified as a Minor Assembly Hall and the fire resistance over the new part of the store would have to afford one-hour fire resistance. This is usually accomplished by a ceiling plastered on metal lath or perforated Gypsum lath. If, however, there are wooden laths or other burnable plaster base or wooden sheathing or the like on this part of the ceiling now, that would have to be removed before the fire resistive materials were applied.

If the hall were to be used in any commercial way whatever, it would be classified as a Major Assembly Hall, and the fire resistive separations between the new part of the store and the hall would have to afford 2-hour fire resistance which would hardly be accomplished short of a reinforced concrete second floor slab.

There may be other provisions applying on account of the assembly hall such as enclosure of the cellar stairs, now in the dwelling house part, but understood to be proposed in the extension of the store, this in the cellar.

Whitton, Hoar ——— 2

January 24, 1948

No doubt an additional emergency exit in the rear would be required from the enlarged store.

We shall need more competent information concerning the supports of the second floor where the long bearing partition is to be removed, and this ought to be worked out by someone who knows how to figure the strength of beams and columns in proportion to the weight that will come upon them. It appears certain that the beam indicated on the plan is much too light, and other structural details will be necessary. When this improved plan is made, it ought to be blueprinted and the blueprint filed here with all of the information on it printed from the original. If it is found necessary to use structural steel for this beam or the columns, the signed statement of design of the designer is also required on the print of the plan.

Very truly yours,

Inspector of Buildings

WHD/S

Encl: Outline of appeal procedure

CC: Edward T. Gignoux  
Assistant Corporation Counsel



**(A) APARTMENT HOUSE ZONE  
APPLICATION FOR PERMIT**

Class of Building or Type of Structure Third Class

Portland, Maine, January 12, 1949

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~and alter~~ ~~and reconstruct~~ the following building ~~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 Island Avenue, Peaks Island, corner of Church Street Within Fire Limits? no Dist. No. \_\_\_\_\_  
 Owner's name and address M. A. Whetton, Island Avenue, Peaks Island Telephone \_\_\_\_\_  
 Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Contractor's name and address Roland S. Hoar, Island Avenue, Peaks Island Telephone \_\_\_\_\_  
 Architect \_\_\_\_\_ Specifications, \_\_\_\_\_ Plans yes No of sheets 1  
 Proposed use of building Store & Assembly Hall No. families \_\_\_\_\_  
 Last use Store, dwelling & Hall No. families \_\_\_\_\_  
 Material lrd No. stories 2 1/2 Heat stove Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Other buildings on same lot \_\_\_\_\_  
 Estimated cost \$ 700 Fee \$ 2.00

**General Description of New Work**

To change use of section of first floor from dwelling to store. This is to be an enlargement of an existing store by removal of several partitions as per plan. Bearing partition 26' long to be removed and second floor carried on a 6x12 Hard Pine girder, supported at each end and center by 6x8 column, columns to receive bearing on 5' solid ground providing new piers and footings if found necessary.

*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 Roland S. Hoar*

**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 \_\_\_\_\_ fl 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

Signature of owner by: M. A. Whetton  
Roland S. Hoar

Permit No. 481

Location Island Ave. Beach Del

Owner M. A. Whitton

Date of permit 1/14/58

Notif. closing-in

Inspn. closing-in

Final Notif. 87

Final Inspn. 12

Cert. of Occupancy issued 6

NOTES

3/11/58



(A) APAR TINY HOUSE 2017 PLUMBING ISSUED

# APPLICATION FOR PERMIT

Permit No. 10262  
MAR 6 1941

Class of Building or Type of Structure Third Class

Portland, Maine, March 5, 1941

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect alter ~~immit~~ 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 Island Avenue, Peaks Island Within Fire Limits? no Dist. No. \_\_\_\_\_

Owner's or lessee's name and address Robert Skilling, Agent Telephone \_\_\_\_\_

Contractor's name and address Geo. A. Keening, Willow St., Peaks Telephone no

Architect \_\_\_\_\_ Plans filed \_\_\_\_\_ No. of sheets \_\_\_\_\_

Proposed use of building Hall, store and dwelling No. families \_\_\_\_\_

Other buildings on same lot \_\_\_\_\_ Fee \$ .75

Estimated cost \$ 150. Description of Present Building to be Altered

Material wood No stories 3 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_

Last use Hall, store and dwelling No. families \_\_\_\_\_

## General Description of New Work

To rebuild north chimney in oulding, entire

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and the name of the heating contractor.

## Details of New Work

Is any plumbing work involved in this work? \_\_\_\_\_

Is any electrical work involved in this work? \_\_\_\_\_ Height average grade to top of plate \_\_\_\_\_

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 \_\_\_\_\_ cellar \_\_\_\_\_

Material of underpinning \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_

Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_

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

Kind of heat \_\_\_\_\_ Type of fuel \_\_\_\_\_ Is gas fitting involved? \_\_\_\_\_

Framing lumber—Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_

Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_

Material columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_

Studs (outside walls and carrying \_\_\_\_\_) 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 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

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 Robert Skilling, Agent

By Geo. A. Keening

INSPECTION COPY

75 568







Location, Ownership and detail must be correct, complete and legible.  
 Separate application required for every building.  
 Plans must be filed with this application.

# Application for Permit for Alterations, etc.

Portland, Me., Sept 29, 1924 19

To the INSPECTOR OF BUILDINGS:

The undersigned applies for a permit to alter the following described building:—  
 Location Golden Cross Bldg Island Ave, Peaks Island Ward 1 in fire-limits? no.  
 Name of Owner or Lessee, Everett Skillings, Trustee Address Middlebury, Vt  
 Charles D Ross " Peaks Island

Description of Present Bldg.  
 " " Contractor, " " Architect, " " Material of Building is " Style of Roof, " Material of Roofing, " Size of Building is " feet long; " feet wide. No. of Stories, " Cellar Wall is constructed of " is " inches wide on bottom and batters to " inches on top. Underpinning is " is " inches thick; is " feet in height. Height of Building " Wall, if Brick; 1st, " 2d, " 3d, " 4th, " 5th, " What was Building last used for? " cottage No. of Families? " What will Building now be used for? " cottage

### Detail of Proposed Work

out off chimney and support it at first story with metal columns  
 all to comply with the building ordinance  
 Estimated Cost \$ 40.

### If Extended On Any Side

Size of Extension, No. of feet long?; No. of feet wide?; No. of feet high above sidewalk?  
 No. of Stories high?; Style of Roof?; Material of Roofing?  
 Of what material will the Extension be built? Foundation?  
 If of Brick, what will be the thickness of External Walls? inches; and Party Walls inches.  
 How will the extension be occupied? How connected with Main Building?

### When Moved, Raised or Built Upon

No. of Stories in height when Moved, Raised, or Built upon? Proposed Foundations?  
 No. of feet high from level of ground to highest part of Roof to be?  
 How many feet will the External Walls be increased in height? Party Walls

### If Any Portion of the External or Party Walls Are Removed

Will an opening be made in the Party or External Walls? in " Story.  
 Size of the opening? How protected?  
 How will the remaining portion of the wall be supported?

Signature of Owner or Authorized Representative *Everett Skillings, Trustee*  
 Address *By Franklin Skillings*

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK

Island Ave, Peaks

Oct 1, 1924

Application for Permit for Abandonment of

Highway

57600

Detail of Proposed Work

1. The proposed work consists of the removal of the existing pavement and the construction of a new pavement of concrete.

2. The existing pavement is composed of a 4 inch layer of concrete on a 6 inch layer of sand.

3. The proposed pavement is composed of a 4 inch layer of concrete on a 6 inch layer of sand.

4. The proposed work is to be done in two sections, one on the north side of the highway and one on the south side.

5. The proposed work is to be done during the winter months, from December to February.

6. The proposed work is to be done by the contractor named in the contract.

7. The proposed work is to be done in accordance with the specifications attached hereto.

8. The proposed work is to be done in accordance with the plans attached hereto.

9. The proposed work is to be done in accordance with the contract.

10. The proposed work is to be done in accordance with the laws and ordinances of the State of California.

PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK

RECEIVED  
AUG 10 1984  
DEPT. OF BLDG. Insp.  
CITY OF PORTLAND

Remove  
Window  
Install  
Slider

Install  
New Deck

Remove  
EXISTING  
STAIRS  
& Re-construct  
TO FIT OTHER  
WAY

