

8-10 BERKELEY STREET



First cut #920R - Half cut #9202R - Third cut #9203R - Fifth cut #9206R

8-10
September 15, 1942

Warren McDonald
Inspector of Buildings

Dear Sir:

Having a full understanding of the application of
FEDERAL WAR PRODUCTION CONSERVATION ORDER L-41 to the
construction work which I propose at 12 Berkeley Street
in the City of Portland, I DESIRE THAT YOU ISSUE THE
BUILDING PERMIT to cover that work.

Gled L. Townsend

P. 42/1078-I

November 23, 1942

J. H. Ward, Chief
Compliance Branch
War Production Board
Temporary Building E
Washington, D. C.

Subject: Former report of construction
of garage for Fred L. Townsend at 12
Berkeley Street, Portland, Maine as
being in violation of Conservation Order
L-41

Dear Mr. Ward:

On or about September 19, 1942, I reported to you as likely to be in violation of Conservation Order L-41; proposed private garage to be built at an estimated cost of \$450. for Fred L. Townsend at 12 Berkeley Street in this city.

The permit was issued at that time, but the owner became aware of question of compliance with L-41 and did not start the work.

He made application to the Federal Housing Administration Office in Bangor for permission to start the work, and these negotiations ended up in the FHA advising him to reduce the cost of the building so as not to exceed \$190.

I have a letter from the owner, dated November 23, 1942, which says: "As suggested by FHA I have reduced cost of my one car garage to \$190."

I have no doubt that this is a reliable statement and I am writing to you so that you may be aware of the situation and perhaps save time investigation a job which requires no investigation in my judgment.

Very truly yours,

Inspector of Buildings

McD/H
cc: F. L. Townsend,
12 Berkeley Street

*Pls by
mail
order*

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PORTLAND, MAINE

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KAUFMAN BROS. & BONDY
PIPES

Nov 23/42

*Mr. Warren McDonald
Building Inspector
Portland Me*

RECEIVED
NOV 25 1942
DEPT. OF P. S. & M.
CITY OF PORTLAND

Dear Sir:

*As suggested by F.W.A.
I have reduced cost of my one
Car garage to 199.00. One hundred
and ninety-nine dollars.*

Respectfully:

Rept. 2210D-1

September 16, 1942

Mr. Fred L. Townsend,
12 Berkeley Street,
Portland, Maine

Subject: Location of proposed garage at
12 Berkeley Street

Dear Mr. Townsend:

You were encouraged to file an appeal relating to the location of the above garage erroneously. Because the front of the garage as proposed would be more than 10 feet from the street line of Berkeley Street, the provisions of the zoning law do not enter into the question at all. The location of the garage is determined by the provisions of the Building Code which are fire preventative measures, and not subject to a variance appeal in such a case.

Section 204-b-1 of the Building Code requires that every part of such a garage shall be at least two feet from every property line between privately owned lots unless the side wall of the garage next to the property line and closer than two feet to it is made a fire separation having at least two-hour fire resistance (this means a masonry wall at least eight inches in thickness). This masonry wall is required to extend at least one foot above the part of the roof nearest the wall, but this wall would have to be high enough so that no part of the roof higher than the wall could be closer than two feet to the property line.

In other words it is necessary that you either construct the garage so that the overhang of the eaves or drip will be at least two feet from the nearest side property line or else provide the masonry wall as indicated. Appeal for a variance in such a case as this would be of no avail, as the Municipal Officers have no authority under the law to allow such a variance.

It is then necessary for you and Mr. Hamilton to decide which course you will pursue and either change the location plan of the garage and the spacing out (giving us the amount of overhang of the eaves) so that the overhang of eaves or drip will be at least two feet from the side property line; or change the application and plan showing the required eight-inch masonry wall on the side toward the property line and clearly showing the height of the wall above the adjoining roof of the garage and the fact that no part of the roof which is higher than the top of the wall will be closer than two feet to the side property line.

It would not be allowable to support this wall on a masonry slab but it would have to be supported upon a masonry foundation wall extending at least four feet below the surface of the ground, and your plan should show the thickness of the wall both at the surface of the ground and at the bottom of the wall and of what material it would be.

There are enclosed some papers as to the War Production Board Conservation Order L-41 which I hope you will examine carefully, and be governed accordingly, as it seems certain that this job would be in violation of the War Production

Handwritten notes:
P.O. No. 15
15
15
15

Mr. Frederick M. Boyce
154 Main Street
Andover, Massachusetts

Mr. Warren McDonald
City Hall
Portland, Maine.

RECEIVED
SEP 15 1942
DEPT. OF P.G. & C.
CITY OF PORTLAND

Dear Sir:

This is to certify
that I hereby give my
consent to allow Mr. J. L.
Laurence permission to
build a garage within
1 foot of my line with
the understanding that