

99-109 HIGHLAND STREET

  
SHARPEYALKER



SAM

CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION  
COMPLAINT

R-5

Location:  
103 Highland Ave.  
R-5

FILE COPY

COMPLAINT NO. 75777

Date Received July 3, 1975

Location 103 Highland Use of Building Apt.  
Owner's name and address Rebecca Rice - 435 Deering Ave. Telephone \_\_\_\_\_  
Tenant's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Complainant's name and address Mrs. L.C. Andrew - 96 Highland Telephone 773-3233

Description:

There are at least 5 families living here, with 5 cars and recently a bus has been parked here

NOTES:

7/16/75. The bus was a visitor, so the tenants, says  
Six cars are usually parked here at night  
lots of room where they are parked on the  
property of 103 Highland St.  
There are eight mailboxes in all, indicating eight apts:

1. Roger Morin & Davida Sky
2. Chas C Moulton Sr apt 4:
3. Glen & Judith Reynolds Apt B.
4. Rich Sellick (One mail box)
5. Stitham Apt 6.
6. Ken Knudsen Apt C.
7. Miss Kathleen F Caulfield
8. Rebecca R Van Voorhis      A TOTAL OF EIGHT MAIL BOXES:???

THE ONLY VIOLATION HERE IS MORE APT,S THAN IS ALLOWABLE. ATTACHED LETTER STATES SEVEN IS ALLOWABLE. I HAVE TALKED THIS OVER WITH ALLEN AND WE WILL

CONTACT THE FIRE DEPT TO INVESTIGATE, FOR EXITS ETC.,. HU: Talked @ Capt

Miller. am waiting for his investigation & reply

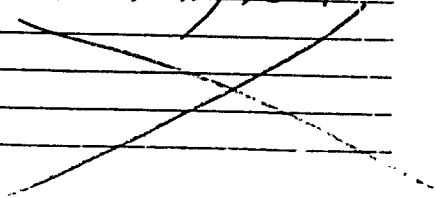
8-4-75 C.H. Miller, available to file

9-18-75 constantly checking this bldg and

I am waiting for an answer from the Fire Dept.

they are going to check the bldg out for exits

etc: Housing Dept reports 7 apts.



George Flaherty, Asst. to the City Manager

3/26/73

A. Allan Soule, Asst. Dir. Building Inspection

103 Highland St.-Apartment house at this location

This building at the above named location was built sometime before 1916. In 1951, we find there were five apartments at this location. In 1963, we say there are seven existing apartments which is non-conforming for the zone. (R05 Residential). They tried to change this building from seven apartments to ten in 1964, but when they were told that they had to go before the Board of Appeals and the requirements had to be met of both the Zoning and Building Code, they cancelled their permit. We were unable to get into this building and check it out on that date to see if apartments had been added.

The Fire Department and this Department tried to make an inspection of this property on 2/7/69 to see if the number of apartments had been increased. However, they could not gain entrance to where they thought the new apartment had been added or would be. Another inspector from this department did succeed in getting into the building on June 4, 1971 at which time he reported that there were only seven apartments in the building which is what we are allowing at a non-conforming use.

I have asked Lyle Noyes to call me if he has any reason to believe that there are more than seven apartments at this location. We will also make an inspection of this property.

---

A. Allan Soule  
Assistant Director

AAS/c



R3 RESIDENCE ZONE  
CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION  
COMPLAINT

Location:  
103 Highland St.

INSPECTION COPY

COMPLAINT NO. 71/4

Date Received February 9, 1971

Location 103 Highland Street Use of Building Apartment house  
 Owner's name and address Rebecca Rice, 435 Deering Ave. <sup>Geoffrey</sup> Telephone 773-2405  
 Tenant's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Complainant's name and address Plumbing Inspector Telephone \_\_\_\_\_  
 Description: Making two apts. out of one on 2nd floor left

NOTES: 2/15/71 Noted 4 mail boxes. Tenants said I'd  
have to contact Mr. Rice to get in among the  
apts. I'll call her for an appointment.  
To get through the 2nd flr. I  
2/16/71 will have an appointment with  
Mr. Rice. Then will get through the  
2nd flr.

2/14/71 8:15 AM Mr. Rice of  
suggested going through the building and  
offer me 70 sq ft. This is all he can  
save, even if desiring more. They are  
small etc and it appeared to me they  
are small they would not be cut up  
any smaller; I'll bathroom was  
installed some time ago for an apt  
and flr. so that 2 apts would be  
have to share one together etc.

~~Checked the site~~  
 Site in Ch.  
 X

May 24, 1971

Mrs. Rebecca Rice  
435 Deering Avenue  
Portland, Maine 04103

Dear Mrs. Rice:

A few weeks ago, our inspector talked with Mr. Geoffrey Rice questioning the addition of another apartment at 103 Highland Street. Mr. Rice said that this was being done.

It is therefore necessary that you have plans brought to this office showing the floor plan and exits.

We hope that we may have your cooperation and that any further action from this department will not become necessary.

Will you please reply to this letter within 10 days from the above date.

Very truly yours,

Hugh Irving  
Inspector

HI/c

*File in 67.*

PERMIT TO INSTALL PLUMBING

PERMIT NUMBER **153**

Date Issued **2-3-71**  
 Portland Plumbing Inspector  
 By **ERNOLD R GOODWIN**

App. First Insp.  
 Date **ERNOLD R. GOODWIN**  
 By

App. Final Insp.  
 Date  
 By

- Type of Bldg.
- Commercial
  - Residential
  - Single
  - Multi Family
  - New Construction
  - Remodeling

Address <b>103 1/2</b>		PERMIT NUMBER <b>153</b>	
Installation For.		Owner of Bldg.	
Owner's Address <b>635 Congress St.</b>		Date: <b>2-3-71</b>	
Plumber <b>ERNOLD R. GOODWIN</b>		NO.	
NEW	REPL		FILE
	<b>2</b>	SINKS	<b>1.00</b>
<b>1</b>		LAVATORIES	<b>2.00</b>
<b>1</b>		TOILETS	<b>2.50</b>
<b>1</b>		BATH TUBS	<b>2.00</b>
		SHOWERS	
		DRAINS FLOOR SURFACE	
		HOT WATER TANKS	
		TANKLESS WATER HEATERS	
		GARBAGE DISPOSALS	
		SEPTIC TANKS	
		HOUSE SEWERS	
		ROOF LEADERS	
		AUTOMATIC WASHERS	
		DISHWASHERS	
		OTHLR	
TOTAL			<b>5 10.00</b>

Building and Inspection Services Dept; Plumbing Inspection

PERMIT TO INSTALL PLUMBING

Address 103 Highland Street PERMIT NUMBER 1683

Installation For: \_\_\_\_\_

Owner of Bldg. Geoffrey Rich

Owner's Address: 655 Congress Street

Plumber John Jansson Date: 8/17/70

15 Mayland St. NO FEE

Date Issued 8/17/70  
 Portland Plumbing Inspector  
 By ERNOLD R. GOODWIN

App. First Insp. WALTER H. WALLACE  
 Date 8/28/70  
 DEPUTY PLUMBING INSPECTOR

App. Final Insp. WALTER H. WALLACE  
 Date 8/18/70  
 DEPUTY PLUMBING INSPECTOR

- Type of Bldg.
- Commercial
  - Residential
  - Single
  - Multi Family
  - New Construction
  - Remodeling

NEW	REPL		NO	FEE
		SINKS		
1		LAVATORIES	1	2.00
1		TOILETS	1	2.00
1		BATH TUBS	1	2.00
		SHOWERS		
		DRAINS FLOOR SURFACE		
		HOT WATER TANKS		
		TANKLESS WATER HEATERS		
		GARBAGE DISPOSALS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS		
		AUTOMATIC WASHERS		
		DISHWASHERS		
		OTHER		
TOTAL			3	6.00

Building and Inspection Services Dept. Plumbing Inspection



2-7-69.

Filing this complaint, to be continued  
sometime in the future.

This property was inspected by  
Hugh & a member from the fire  
dept to try & determine how many  
apts existed. There were two areas  
we could not get into, other tenants said  
they were apts. We agreed that from  
the knowledge gained from our inspection  
that there was little doubt but what  
there were 9 apts in this building.

New copper lines some for  
attention & waste lines, rather new  
lines & replacements. Plumbing  
dept notified to check etc etc.  
Heard nothing further so I  
am placing this on file.



Would you  
put this on  
a complaint  
sheet please

H 1

9/16/68

No 1

To Allen

Date 9/16/68

Time 10:00

WHILE YOU WERE OUT

Mrs. Lawrence Andrews

of 96 Highland Street

Phone 773-8283

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT	<input type="checkbox"/>

Message Apt. house at 103  
Highland Street, owned  
by Mrs. Rebecca Rice of  
435 Decatur Avenue has  
changed from 15 to 9 apartments.  
N.C.

Mrs. Andrews would like to  
be informed of this matter.  
CLERK  
C. L.



CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION  
COMPLAINT

Location:  
103 Highland St.

FILE COPY

COMPLAINT NO. 72/16

Date Received 2-7-69

Location 103 Highland St. Use of Building Apartment House

Owner's name and address Mrs. Rebecca Rice-435 Deering Ave. Telephone \_\_\_\_\_

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

Complainant's name and address Mrs. Lawrence Andrews Telephone \_\_\_\_\_  
96 Highland St.

Description: Changed from 5 to 9 apartments.

NOTES: this property was inspected by Hugh and a member from the fire dept.  
in order to try to determine the number of apartments in said building.  
There were two areas, that we could not get into. Other tenants said  
that these areas were apartments. We agreed from the knowledge gained  
from our inspection that there was little doubt but what there were  
were apartments in this building. New copper lines came to our  
attention and waste lines - either new lines or replacements. The  
Plumbing Department was notified to check. I have heard nothing  
further so am placing this on file. Hugh

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

Permit No. 55233  
 Issued \_\_\_\_\_  
 \_\_\_\_\_, 1966

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 Harry Bell Tel. \_\_\_\_\_  
 Contractor's Name and Address P. E. Edwards Tel. \_\_\_\_\_  
 Location 103 Highland St Use of Building apts  
 Number of Families \_\_\_\_\_ Apartments 6 Stores \_\_\_\_\_ Number of Stories \_\_\_\_\_  
 Description of Wiring: New Work \_\_\_\_\_ Additions \_\_\_\_\_ Alterations \_\_\_\_\_

Pipe \_\_\_\_\_ Cable \_\_\_\_\_ Metal Molding \_\_\_\_\_ BX Cable \_\_\_\_\_ Plug Molding (No. of feet) \_\_\_\_\_  
 No. Light Outlets \_\_\_\_\_ Plugs 9 Light Circuits \_\_\_\_\_ Plug Circuits 2  
 FIXTURES: No. \_\_\_\_\_ Light Switches \_\_\_\_\_ 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 1 Watts 4500 Brand Feeds (Size and No.) 3-#10 nG  
 Elec. Heaters \_\_\_\_\_ Watts \_\_\_\_\_  
 Miscellaneous \_\_\_\_\_ Watts \_\_\_\_\_ Extra Cabinets or Panels \_\_\_\_\_  
 Transformers \_\_\_\_\_ Air Conditioners (No. Units) \_\_\_\_\_ Signs (No. Units) \_\_\_\_\_  
 Will commence \_\_\_\_\_ 19\_\_\_\_ Ready to cover in \_\_\_\_\_ 19\_\_\_\_ Inspection \_\_\_\_\_ 19\_\_\_\_  
 Amount of Fee \$ 2.50

Signed P. E. Edwards

DO NOT WRITE BELOW THIS LINE

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

REMARKS:

INSPECTED BY G. W. Hubbard  
 (OVER)

LOCATION *Highland St 103*  
 INSPECTION DATE *9/29/66*  
 WORK COMPLETED *9/29/66*  
 TOTAL NO. INSPECTIONS *1*  
 REMARKS:

**FEE SCHEDULE FOR WIRING PERMITS EFFECTIVE JULY 31, 1963**

<b>WIRING</b>		
1 to 30 Outlets	(including switches)	\$ 2.00
31 to 60 Outlets	(including switches)	3.00
Over 60 Outlets, each Outlet	(including switches)	.05
(Each twelve feet or fraction thereof of fluorescent lighting or any type of plug molding will be classed as one outlet).		
<b>SERVICES</b>		
Single Phase		2.00
Three Phase		4.00
<b>MOTORS</b>		
Not exceeding 50 H.P.		3.00
Over 50 H.P.		4.00
<b>HEATING UNITS</b>		
Domestic (Oil)		2.00
Commercial (Oil)		4.00
Electric Heat (Each Room)		.75
<b>APPLIANCES</b>		
Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Dishwashers, etc. — Each Unit		1.50
<b>TEMPORARY WORK (Limited to 6 months from date of permit)</b>		
Service, Single Phase		1.00
Service, Three Phase		2.00
Wiring, 1-50 Outlets		1.00
Wiring, each additional outlet over 50		.02
Circuses, Carnivals, Fairs, etc.		10.00

MISCELLANEOUS

LOCATION 103 Highland Street

DATE 5/14/64

PERMIT \_\_\_\_\_

INQUIRY \_\_\_\_\_

COMPLAINT \_\_\_\_\_

Q.A.S.:-

Will you please  
go out here this morn-  
ing and check to see  
if there is any work  
going on here that re-  
quires permit, particu-  
larly as to increase in  
apartments. If so,  
tell them to stop work.  
Also please get name  
and address of present  
owner of property.

New owner 5/14/64

Harry Rice - 4135 Derry Ave.

No work going on at  
the present time that requires  
a permit. Carpenter said  
we only planned to put  
two additional units in  
first floor. Said we  
are waiting for a basic  
metal permit on second  
floor.

99-109 Highland St.

May 14, 1964

Mr. Harry Rice  
435 Deering Avenue

Dear Mr. Rice:

We have been informed that you have recently purchased the apartment house at 99-109 Highland Street and may be planning alterations there. In view of this circumstance, it appears best to let you know that this property is non-conforming in the R-3 and R-5 Residence Zones where the property is located and therefore under the Zoning Ordinance may not be altered, modified, or added to so as to increase the cubical content or the degree of non-conformity. This means that it is unlawful to increase the number of apartments in the building or otherwise change existing conditions.

A permit from this department is required before any new partitions are erected or old partitions are removed, or existing openings are changed, either by closing up or enlargement, or new openings are to cut-in. Such a permit cannot be issued if the work involves an increase in the degree of non-conformity of the building.

If you have any questions as to this building and the application of the Zoning Ordinance to it, I will be glad to go further into the matter with you upon request.

Very truly yours,

Albert J. Sears  
Building Inspection Director

AJS:m

Inquiry- 103 Highland St.

Jan. 17, 1964

Mr. Vincent Black  
33 Morning Street

cc to: Corporation Counsel

Dear Mr. Black:

Concerning your proposal for making a second apartment in the first story in place of one now existing there, and of making one apartment in place of two out of the four now existing in the second story of the building at the above named location, thus making a total of seven apartments therein the same as at present, I find after consultation with the Corporation Counsel that it is doubtful if I have the authority to issue a permit for alterations of this nature to this building containing a use which is nonconforming under the zoning ordinance in the R-3 and R-5 Residence Zones where it is located.

Because of the many changes made in the use of this building over the years, many of them unlawfully, it is impossible to determine at this late date exactly what legal nonconforming rights this building may have at present. In view of this situation, any changes in the present set-up would need to be authorized by the Board of Appeals.

If you are interested in purchasing the building, it is possible to have a zoning appeal filed in the name of the present owner of the property. If the appeal were sustained, any rights granted thereby would then revert to you if you bought the property and would be in effect as long as you started work on the proposed alterations within six months of the date on which the appeal was sustained. We will be glad to explain the appeal procedure if you are interested.

Very truly yours,

Albert J. Sears  
Building Inspection Director

AJS:m

A.P. 99-109 Highland Street, corner of Fairmont Street

December 18, 1963

Vincent Construction Company  
1041 Washington Avenue

cc to: Mrs. Helen A. Turner  
103 Highland Street

Gentlemen:

Building permit for alterations in first story of apartment house at the above named location to provide three additional apartments there is not issuable under the Zoning Ordinance for the following reasons:

1. The present use of the building is non-conforming in the R-3 and R-5 Residence Zones in which the property is located. The increase in cubical content of the building caused by the enclosure of existing open porches and the increase in degree of non-conformity caused by the increase in number of apartments is forbidden by Sec. 17-B of the Ordinance applying to lawful non-conforming uses.
2. Sec. 4-B-8 of the Ordinance applying to the R-3 Residence Zone in which about 90 per cent of the building is located requires at least 6500 square feet of lot area for each family housed on the property. Sec. 6-B-8 of the Ordinance applying to the R-5 Residence Zone in which the rest of the building is located requires at least 3000 square feet for each family housed. The area of the lot on which the building is located is only about 16,000 square feet, which is much less than that required in either of the zones involved.
3. Sec. 14-B-1 of the Ordinance requires at least one off-street parking space not less than 8 feet wide by 18 feet long for each apartment in the building. Since this will involve the parking of more than six vehicles, compliance with provisions of Sections 14-H&J for surfacing and drainage of parking area and installation of guard curbs, bumper guards, and fencing will need to be made. Therefore a plot plan showing location on the lot of all existing parking areas and the additional areas to be provided, including all features necessary to indicate compliance with Zoning Ordinance requirements will need to be furnished.

While the owner of the property has the right to ask the Board of Appeals for relief from compliance with any or all of the above requirements of the Zoning Ordinance, it seems extremely questionable, in view of the neighborhood involved and the extent to which the proposed project would violate Ordinance restrictions, if the appeal Board would feel it is within their lawful powers to grant any variance

Vincent Construction Company  
Mrs. Helen Turner

Page 2

Dec. 18, 1963

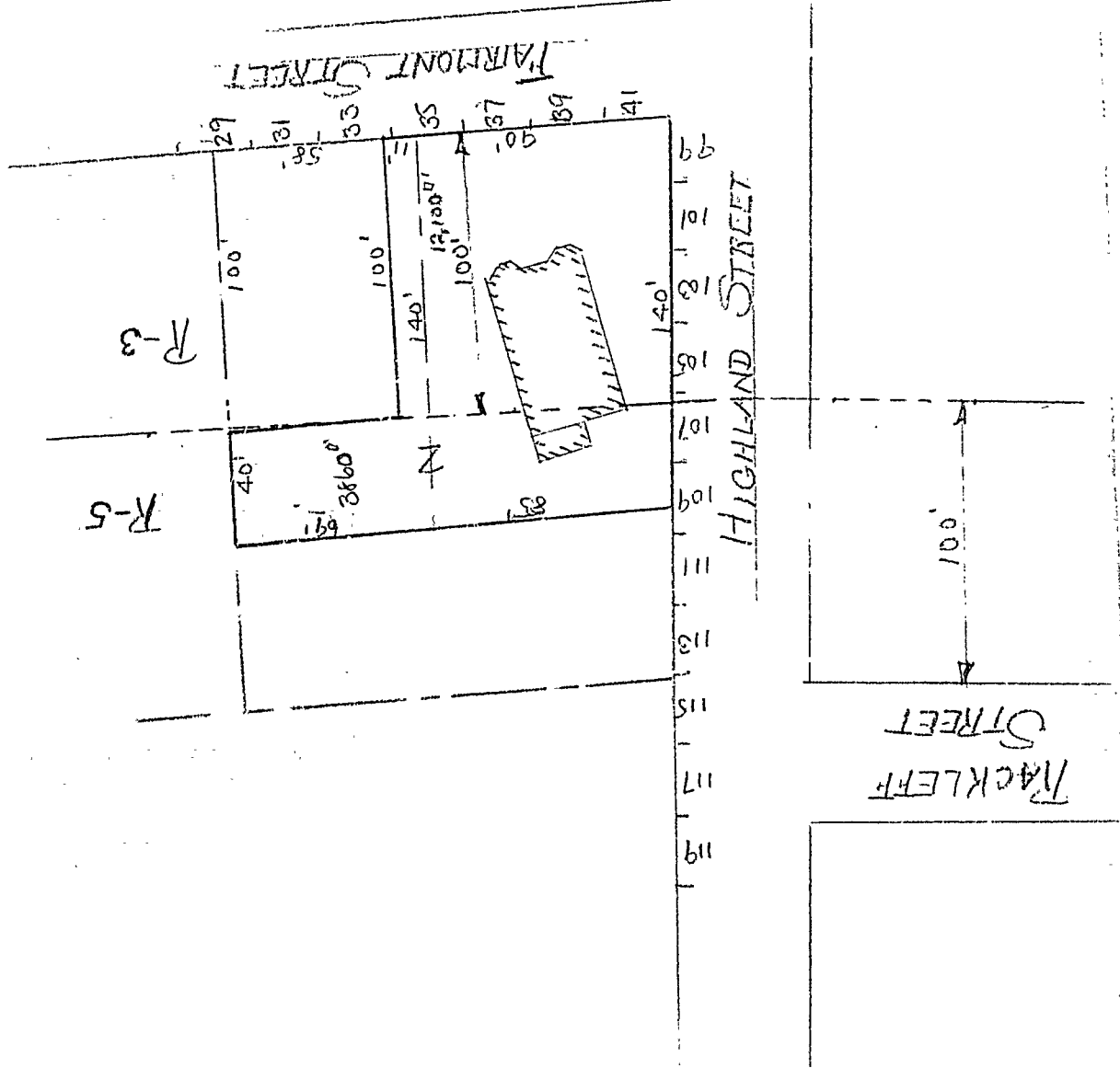
for an increase in the number of apartments in the building. Incidentally, while the permit application indicates that there are now five apartments in the building, records in this department indicate a total of seven apartments, which would be increased to ten by the proposed addition of three in the first story. If by any chance a variance should be secured from the Appeal Board, there are a number of requirements of the Building Code, including enclosure in cellar of all stairways between cellar and first floor and enclosure of heating plant and fuel oil tank, which will need to be met.

Very truly yours,

Albert J. Sears  
Building Inspection Director

AJS:m

3560  
12100  
15960



1/2 Highland St.  
10/18/63

1st floor - Owner's Apt.

2nd floor - 4 Apts.

3rd floor - 2 Apts.

Two sets of cellar stairs.

They are not enclosed.

The new heater is in  
one part of the cellar &  
the oil tank in the other.

They are separated by a  
solid brick wall.

Heater room not enclosed.

Hall lights on owner's  
meter - Allan

1031 Highland Street

Edel Thiner

A.A.S.:-

Will you please  
inspect this building  
carefully to determine  
just how it is being  
used at present. Deter-  
mine no. of apts. by  
places having cooking  
equipment altho only  
one room.

Are cellar stairways  
enclosed?

Is heater room en-  
closed?

How are hall lights  
controlled?

Fire Dept. says they are  
satisfied with means of  
escape. - A.A.S.

LOCATION 103 Highland Street  
(23-J-1+12) DATE 10/1/63

PERMIT \_\_\_\_\_

INQUIRY \_\_\_\_\_

COMPLAINT \_\_\_\_\_

G.L. Record:-

1951 - Changed from  
5 to 6 apts, additional  
apt. being on 2nd story  
Apts located at that  
time as follows:-

First story - one apt

Second ~ - ~~three~~ four apts

Third ~ - two apts

1951 Assessor's Survey

4 baths, 2 toilet rooms,

+ 5 kitchens - Probably

6 apts

1963-3 Assessor's Survey

6 apts - 3 baths, 3 showers,

3 toilet rooms, 6 kitchen

sinks

1963 - Directory - 8 names

1962 - ~ - 8 names

Fire Dept. Record

First Floor - Owner's Apt

Second ~ - 4 Apts

Third ~ - 2 Apts +

2 single rooms

(over)