

40-42 CODMAN STREET



Full c. 9207 • First cut #9202R • Third cut #9203R • Fifth cut #9205R

No. 152451

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO <b>Richard Jensen</b>	POSTMARK OR DATE
STREET AND NO. <b>42 Codman Street</b>	
P.O., STATE AND ZIP CODE <b>Portland, Maine 04103</b>	
OPTIONAL SERVICES FOR ADDITIONAL FEES	
RETURN RECEIPT SERVICES	1. Shows to whom and date delivered ..... 15¢ With delivery to addressee only ..... 65¢
	2. Shows to whom, date and where delivered .. 25¢ With delivery to addressee only ..... 85¢
DELIVER TO ADDRESSEE ONLY	50¢
SPECIAL DELIVERY (extra fee required)	

PS Form 3800 Apr. 1971 NO INSURANCE COVERAGE PROVIDED— (See other side)  
NOT FOR INTERNATIONAL MAIL • GPO : 1974 O - 551-654

PS Form 3811, Mar. 1976

● SENDER: Complete items 1, 2, and 4. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- Show to whom and date delivered..... 15¢
  - Show to whom, date, & address of delivery.. 35¢
  - RESTRICTED DELIVERY.  
Show to whom and date delivered..... 65¢
  - RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Rebecca Rice

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	152452	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY  
7/14/78

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK  
RTLAND  
APR 14 1978  
CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

U.S. POSTAL SERVICE

UNITED STATES POSTAL SERVICE  
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on the reverse.
  - Make sure gummed ends and attach to front of article.
  - If space permits, otherwise affix to back of article.
  - Endorse article "Return Receipt Requested" add a cent to number.

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



RETURN  
TO



Portland City Hall Room 113  
(Name of Sender)

389 Congress Street  
(Street or P.O. Box)

Portland, Maine - 04111  
(City, State, and ZIP Code)



CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION

COMPLAINT

Location:  
42 Codman Street

INSPECTION COPY

COMPLAINT NO. 78-27

Date Received APRIL 12, 1978

Location 42 Codman Street Use of Building \_\_\_\_\_

Owner's name and address Richard Jensen - same Telephone \_\_\_\_\_

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

Complainant's name and address Ruth Irving - Bldg. Insp. Telephone \_\_\_\_\_

Description: Stone wall in dangerous condition at this address, leaning critically towards vacant lot, large rocks have fallen or been removed from the wall.

NOTES: April 1978. I've talked to Mr Jensen that stated he was not sure he owned the wall; as soon as he found out it is, he will start repairs. But he asked that I contact the adjoining property owner and make them show their lot lines & clean up their lot that has a lot of dead trees on it etc. I looked the vacant lot over & found the young trees were solid & could not find any condition of a serious nature; Efforts to contact the vacant lot owner to date has been fruitless. I'll continue to try.

Apr 21 78 Unable to make contact with adjoining property owner. Mrs Jensen said he'd bought down the stone wall. etc.

Oct 4 78 Mr Jensen claims he don't own this wall & the other property owner refuses to accept the correspondence from this dept. In special corp. counsel regarding a future course of action.

Nov 1 78 I. told to forget this that it would cost the city more than its worth to get this settled. Eventually the wall will lay over on such an extreme angle that who ever owns it will have to do something.

Certified Mails

make an extra  
copy for  
Health Dept

Don't send copy to Health  
Dept. give to Hugh



## CITY OF PORTLAND

R. LOVELL BROWN  
BUILDING AND INSPECTION DIRECTOR

RE: 42 Codman Street  
Assessors Map 129-H-14

April 12, 1978

Richard Jensen  
Camilla P.  
42 Codman Street  
Portland, Maine 04103

cc: Health Department

Dear Mr. & Mrs. Jensen:

It has been reported to this office by the Health Housing Department that a dangerous stone wall exists at this property. Our inspection verified the dangerous condition and found it leaning critically towards the vacant lot. Large rocks have fallen or been removed from the wall.

It is necessary that you take immediate action to correct and make safe this condition within 10 days, not later than May 1, 1978. It is necessary that you submit a written reply to this office, the course of action you will take, and the date you expect to have this hazardous condition corrected.

Failure to comply to the City Ordinance could result in a fine up to \$1,000 a day for each day of the violation. It is hoped we will have your co-operation in this matter, that further action by this department will not become necessary. Should you have any questions, do not hesitate to contact this office

Very truly yours,

Hubert G. Irving  
Building Inspector

HGI/r

NOTES

10-5-76 Ready for work - had in  
 for permit --  
 10-10-76 Newly completed - Mrs. [unclear]  
 11-1-76 No more work - looks complete - [unclear]  
 11-22-76 Completed - [unclear]

Permit No. 76/1914  
 Location 12 [unclear]  
 Owner Richard [unclear]  
 Date of permit 10-5-76  
 Approved 10-6-76

Nov 14/78 I talked to Mr. [unclear] of the  
 Smith & Wagon  
 I was told to forget it.  
 This was a garage - it has been  
 converted to a single family dwelling.  
 City new electrical service was installed  
 Oct 5/1976. This is an illegal use;

A new water service & meter service  
 was put in this [unclear]  
 Meter No D 45 - D 35 63, a new  
 bench across the street of the garage,  
 This single family dwelling on  
 this lot is illegal. This is agreed by  
 Mr. Ward of Mr. Smith; I have taken  
 over rules and instructed not to take  
 corrective action; I will bring this to the  
 Board of [unclear] if he is in agreement  
 with the staff. All file as is;





# APPLICATION FOR PERMIT

**PERMIT ISSUED**

OCT 6 1976

**CITY of PORTLAND**

B.O.C.A. USE GROUP .....

B.O.C.A. TYPE OF CONSTRUCTION .....

ZONING LOCATION \_\_\_\_\_ PORTLAND, MAINE, Oct. 5, 1976

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

0914

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 42 Codman St. - Rear ..... Fire District #1  #2

1. Owner's name and address ... Richard Jensen - 40 Codman St. .... Telephone 774-7140

2. Lessee's name and address ..... Telephone .....

3. Contractor's name and address ... Woodbury & Wentworth - Box 43 ..... Telephone 647-2007

4. Architect ..... Specifications ..... Plans ..... No. of sheets .....

Proposed use of building ... dwelling ..... No. families .....

Last use ... same ..... No. families .....

Material ..... No. stories ..... Heat ..... Style of roof ..... Roofing .....

Other buildings on same lot .....

Estimated contractual cost \$ 3,500 ..... Fee \$ 16.00

FIELD INSPECTOR—Mr. .... GENERAL DESCRIPTION

This application is for: @ 775-5451

Dwelling ..  ..... Ext. 234

Garage .....

Masonry Bldg. ....

Metal Bldg. ....

Alterations .....

Demolitions .....

Change of Use .....

Other .....

Permit to make repairs. new roof  
change windows, added two closets  
insulated bldg. new floor

Stamp of Special Conditions

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1  2  3  4

Other: .....

### DETAILS OF NEW WORK

Is any plumbing involved in this work? ..... Is any electrical work involved in this work? .....

Is connection to be made to public sewer? ..... If not, what is proposed for sewage? .....

Has septic tank notice been sent? ..... Form notice sent? .....

Height average grade to top of plate ..... Height average grade to highest point of roof .....

Size, front ..... depth ..... No. stories ..... solid or filled lava? ..... earth or rock? .....

Material of foundation ..... Thickness, top ..... bottom ..... cellar .....

Kind of roof ..... Rise per foot ..... Roof covering .....

No. of chimneys ..... Material of chimneys ..... of lining ..... Kind of heat ..... fuel .....

Framing Lumber—Kind ..... Dressed or full size? ..... Corner posts ..... Sills .....

Size Girder ..... Columns under girders ..... Size ..... Max. on centers .....

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? .....

### APPROVALS BY:

#### DATE

#### MISCELLANEOUS

BUILDING INSPECTION—PLAN EXAMINER . . .

Will work require disturbing of any tree on a public street? ..

ZONING: .....

BUILDING CODE: O. A. E. B. C. 10/5/76 ..

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 ..

Fire Dept.: .....

Health Dept.: .....

Others: .....

Signature of Applicant *Walter Wentworth* ..... Phone # same .....

Type Name of above ... Walter Wentworth ..... 1  2  3  4

Other .....

and Address .....

FIELD INSPECTOR'S COPY

RE: 42 Codman Street  
Assessors Map 129-H-14

April 12, 1978

Richard Jensen  
Camilla P.  
42 Codman Street  
Portland, Maine 04103

cc: Health Department

Dear Mr. & Mrs. Jensen:

It has been reported to this office by the Health Housing Department that a dangerous stone wall exists at this property. Our inspection verified the dangerous condition and found it leaning critically towards the vacant lot. Large rocks have fallen or been removed from the wall.

It is necessary that you take immediate action to correct and make safe this condition within 10 days, not later than May 1, 1978. It is necessary that you submit a written reply to this office, the course of action you will take, and the date you expect to have this hazardous condition corrected.

Failure to comply to the City Ordinance could result in a fine up to \$1,000 a day for each day of the violation. It is hoped we will have your co-operation in this matter, that further action by this department will not become necessary. Should you have any questions, do not hesitate to contact this office.

Very truly yours,

Hubert G. Irving  
Building Inspector

HGI/r





# APPLICATION FOR PERMIT

## DEPARTMENT OF BUILDING INSPECTIONS SERVICES

### ELECTRICAL INSTALLATIONS

Date Oct. 5, 19 76  
 Receipt and Permit number A7962

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:  
 The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: Rear 42 Codman St.  
 OWNER'S NAME: Richard Jensen ADDRESS: 42 Codman St.

OUTLETS: (number of) \_\_\_\_\_  
 Lights 1-30  
 Receptacles \_\_\_\_\_  
 Switches \_\_\_\_\_  
 Plugmold \_\_\_\_\_ (number of feet)  
 TOTAL \_\_\_\_\_

FIXTURES: (number of) \_\_\_\_\_  
 Incandescent \_\_\_\_\_  
 Fluorescent \_\_\_\_\_ (Do not include strip fluorescent)  
 TOTAL \_\_\_\_\_  
 Strip Fluorescent, in feet \_\_\_\_\_

SERVICES: \_\_\_\_\_  
 Permanent, total amperes 200  
 Temporary \_\_\_\_\_

METERS: (number of) 1  
 MOTORS: (number of) \_\_\_\_\_  
 Fractional \_\_\_\_\_  
 1/2 HP or over \_\_\_\_\_

RESIDENTIAL HEATING: \_\_\_\_\_  
 Oil or Gas (number of units) \_\_\_\_\_  
 Electric (number of rooms) 4

COMMERCIAL OR INDUSTRIAL HEATING: \_\_\_\_\_  
 Oil or Gas (by a main boiler) \_\_\_\_\_  
 Oil or Gas (by separate units) \_\_\_\_\_  
 Electric (total number of kws) \_\_\_\_\_

APPLIANCES: (number of)  
 Ranges 1 Water Heaters \_\_\_\_\_  
 Cook Tops \_\_\_\_\_ Disposals \_\_\_\_\_  
 Wall Ovens \_\_\_\_\_ Dishwashers \_\_\_\_\_  
 Dryers \_\_\_\_\_ Compactors \_\_\_\_\_  
 Fans \_\_\_\_\_ Others (denote) \_\_\_\_\_  
 TOTAL \_\_\_\_\_

MISCELLANEOUS: (number of) \_\_\_\_\_  
 Branch Panels \_\_\_\_\_  
 Transformers \_\_\_\_\_  
 Air Conditioners \_\_\_\_\_  
 Signs \_\_\_\_\_  
 Fire/Burglar Alarms \_\_\_\_\_  
 Circus, Fairs, etc. \_\_\_\_\_  
 Alterations to wires \_\_\_\_\_  
 Repairs after fire \_\_\_\_\_  
 Heavy Duty, 220v outlets \_\_\_\_\_  
 Emergency Lights, battery \_\_\_\_\_  
 Emergency Generators \_\_\_\_\_

FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT ..... INSTALLATION FEE DUE: \_\_\_\_\_  
 FOR REMOVAL OF A "STOP ORDER" (304-16.b) ..... DOUBLE FEE DUE: \_\_\_\_\_  
 FOR PERFORMING WORK WITHOUT A PERMIT (304-9) .....  
 INSPECTION: \_\_\_\_\_  
 Will be ready on \_\_\_\_\_, 19\_\_\_\_; or Will Call x  
 CONTRACTOR'S NAME: Wentworth & Woodbury  
 ADDRESS: P. O. Box 43 Bridgton, Me.  
 TEL.: \_\_\_\_\_  
 MASTER LICENSE NO.: 903  
 LIMITED LICENSE NO.: \_\_\_\_\_

TOTAL AMOUNT DUE: 13.50  
 Credit A7942 5.00  
8.50

SIGNATURE OF CONTRACTOR: James Jensen  
 INSPECTOR'S COPY Electrical Contractor

ELECTRICAL INSTALLATIONS

INSPECTIONS. Service C by W. H. Hart  
Service called in 10-12-76  
Closing in 10-5-76 by Libby

PROGRESS INSPECTIONS: 10-27-76 /  
/ /  
/ / /  
/ / / /  
/ / / /

Permit Number 7962  
Location 42 (ears) Columbia St.  
Owner Richard Deane  
Date of Permit 10-5-76  
Final Inspection 10-19-76  
By Inspector P. Kelly  
Permit Application Register Page No. 74

**CODE COMPLIANCE COMPLETED**  
DATE 10-27-76

DATE:	REMARKS:
	<u>Call in Monday. Tues.</u>
<u>10-19-76</u>	<u>Hold to be sure bond to w/p is on.</u>
<u>10-27-76</u>	<u>OK</u>

*Handwritten notes at bottom left, partially illegible.*



# APPLICATION FOR PERMIT

## DEPARTMENT OF BUILDING INSPECTIONS SERVICES

### ELECTRICAL INSTALLATIONS

Date Oct 5, 19 86  
 Receipt and Permit number A7961

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:

The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 42 Codman St.  
 OWNER'S NAME: Richard Jensen ADDRESS: same

OUTLETS: (number of)

Lights	_____	
Receptacles	_____	
Switches	_____	
Plugmold	_____ (number of feet)	
<b>TOTAL</b>	.....	<b>FEES</b>

FIXTURES: (number of)

Incandescent	_____	
Fluorescent	_____ (Do not include strip fluorescent)	
<b>TOTAL</b>	.....	
Strip Fluorescent, in feet	.....	

SERVICES:

Permanent, total amperes <u>200</u>	.....	<u>3.00</u>
Temporary	.....	<u>.50</u>

METERS: (number of) 1 ..... \_\_\_\_\_

MOTORS: (number of)

Fractional	_____	
1 HP or over	_____	

RESIDENTIAL HEATING:

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

COMMERCIAL OR INDUSTRIAL HEATING:

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

APPLIANCES: (number of)

Ranges	_____	Water Heaters	_____
Cook Tops	_____	Disposals	_____
Wall Ovens	_____	Dishwashers	_____
Dryers	_____	Compactors	_____
Fans	_____	Others (denote)	_____
<b>TOTAL</b>	.....		

MISCELLANEOUS: (number of)

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

INSTALLATION FEE DUE:	_____	
FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT	.....	DOUBLE FEE DUE:
FOR REMOVAL OF A "STOP ORDER" (304-16.b)	.....	
FOR PERFORMING WORK WITHOUT A PERMIT (304-9)	.....	
<b>TOTAL AMOUNT DUE:</b>	<b>.....</b>	<b>3.50</b>

INSPECTION:  
 Will be ready on \_\_\_\_\_, 19\_\_\_\_; or Will Call

CONTRACTOR'S NAME: Wentworth & Woodbury  
 ADDRESS: P. O. Box 43 Bridgton, Me.  
 TEL.: \_\_\_\_\_

MASTER LICENSE NO.: 903 SIGNATURE OF CONTRACTOR: James Hermon  
 LIMITED LICENSE NO.: \_\_\_\_\_  
 INSPECTOR'S COPY Electrical Contractor



Inquiry 42 Codman Street

July 10, 1947

Mrs. B. M. Endres  
163 Pear Tree Road  
Danion, Connecticut

Subject: Inquiry as to application  
of Zoning Law to use of the private  
garage at 42 Codman Street as a gift  
shop, antique shop or small tea room.

Dear Mrs. Endres:

Under our Zoning Ordinance this property is located in a  
Residence AA Zone which is most restricted class of zone in the  
city; and in which Section 12 of the ordinance forbids estab-  
lishing any kind of business use.

Very truly yours,

Inspector of Buildings

WHC/D/S



C  
O  
P  
Y

RECEIVED  
JUL 8 1947  
DEPT OF BLDG. INSP.  
CITY OF PORTLAND

July 8, 1947

Mrs. B. M. Endres  
163 Pear Tree Road  
Darien, Connecticut

Dear Madam:

We have turned over your inquiry of July 5th to the Building  
Inspectors Department which has jurisdiction over the uses which build-  
ings may be employed for.

Very truly yours,

BOARD OF ASSESSORS

*Leo P. Hinds*  
by Leo P. Hinds, Chairman

LPH:mrh  
cc Building Inspector ✓

NO. 11  
ST. SEASON

163 Pear Tree Rd  
Darien, Conn.  
c/o B. O. Penner

RECEIVED  
JUL 8 1947  
DEPT. OF S.O.G. INSP.  
CITY OF PORTLAND

July 5, 1947

RECEIVED

Assessors Office  
Portland Maine!

JUL - 7 1947  
BOARD OF ASSESSORS  
PORTLAND, MAINE

Dear Sir!  
I would like to know if  
the building in the rear of  
42 Codman St. could be used  
as a Gift Shop, Antiques Shop  
or a small tea room. The bldg  
consists of a 2 car garage  
with a large room over the  
garage.  
It is owned by Mr. + Mrs. C. C.

*7/10/47*

INQUIRY BLANK

ZONE \_\_\_\_\_

FIRE DIST. \_\_\_\_\_

CITY OF PORTLAND, MAINE  
DEPARTMENT OF BUILDING INSPECTION

Date \_\_\_\_\_

Verbal  
By Telephone

LOCATION H 2 Goodman St OWNER Mrs. E. G. Chenevert

MADE BY Mrs. B. M. Eudres TEL. \_\_\_\_\_

ADDRESS 163 Pear Tree Rd., Orono, Conn.

PRESENT USE OF BUILDING garage

CLASS OF CONSTRUCTION \_\_\_\_\_ NO. OF STORIES \_\_\_\_\_

REMARKS: \_\_\_\_\_

INQUIRY: see letter of 7/5/47, as to  
and establishing gift shop in  
garage.

ANSWER: see letter 7/10/47.

DATE OF REPLY 7/10/47 REPLY BY [Signature]

40-48

RECORD OF UNLABELED, SECOND-HAND, DOMESTIC OIL BURNER TO BE INSTALLED IN THE CITY OF PORTLAND.

Name of Manufacturer *Economy Heat Unit Co*

Type No. *748* Year of Manufacture

Will the burner after present installation have the following safety controls:

To prevent abnormal discharge of oil into heating device? *yes*

If subject to automatic ignition, will burner have approved device so as to shut off oil if oil is not ignited immediately upon

entering combustion chamber? *yes*

Will burner have approved device to reduce or extinguish fire in case of undue pressure or overheating in the heating device? *yes*

Where was burner last used? *303 Peble St. South Portland*

Name and address of owner at last installation? *Mr. W. A. Clark  
303 Peble Street South Portland, Me*

Over what period was it last in use? *1932 to 1933*

STATEMENT BY FORMER USER OR OWNER:

As user or owner of the above described burner from *September 1932*

to *May 1933*, I found it entirely satisfactory from the standpoint of safety of operation.

(Signature) *W. A. Clark*  
(Address) *303 Peble St. Portland*

Burner to be installed now for *W. Grant D. Kidder*

at *42 Cadman St.*

Date *10/22/34* (Signature of Installer)



FILL IN COMPLETELY AND SIGN WITH INK

PERMIT ISSUED

Permit No. 1931

NOV 21 1934

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

Portland, Maine, October 22, 1934

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 42 Codman Street Use of Building garage and club room

Name and address of owner Byron D. Kidder, 42 Codman St. Ward 6

Contractor's name and address F. Carves, 112 Nixon St. Telephone 3-7853

General Description of Work

To install Oil Burning Equipment in connection with existing steam boiler

IF HEATER, POWER BOILER OR COOKING DEVICE

Is heater or source of heat to be in cellar? yes If not, which story Kind of Fuel Oil
Material of supports of heater or equipment (concrete floor or what kind) concrete
Minimum distance to wood or combustible material, from top of boiler or casing top of furnace, from top of smoke pipe, from front of heater, from sides or back of heater

CERTIFICATE OF OCCUPANCY OR CLOSING-IN IS WAIVED

IF OIL BURNER

Name and type of burner In-the-Door Labeled and approved by Underwriters' Laboratories? no
Will operator be always in attendance? Type of oil feed (gravity or pressure) gravity
Location oil storage basement No and capacity of tanks 2-60 gal (90 gal)
Will all tanks be more than 4 feet from any flame? yes How many tanks fireproofed?
Amount of fee enclosed? 1.00 (\$1.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

INSPECTION COPY

Signature of contractor F. Carves

3/26

Ward 8 Permit No. 34/1931

47 Carloman St.

Owner: Myron D. Kidder

Date of permit 11/21/34

Not closing-in

Inspn. closing-in

Final Notif.

Final Inspn. 4/8/35, old.

Cert. of Occupancy issued None

- PERMIT NOTES
1. Kind of fuel Steam
  2. Label ✓
  3. Anti-siphon ✓
  4. Oil storage ✓
  5. Tr. & distance ✓
  6. Vent pipe ✓
  7. Fill pipe None
  8. Gauge ✓
  9. Rigidity ✓
  10. Feed safety ✓
  11. Pipe sizes & material ✓
  12. Control valve ✓
  13. Ash pit vent ✓
  14. Safety or pressure safety ✓
  15. Insulation None
  16. \_\_\_\_\_

RECEIVED BY THE BOARD OF SUPERVISORS

Ward 8 Permit No. 34/1931

42 Cordman St.

Owner Myron D. Kidder

Date of permit 11/21/34

Not    sing-in

Inspn. closing-in

Final Notif.

Final Inspn. 4/8/35 old

Cert. of Occupancy issued None

NOTES

- 1. Kind of heat Steam
- 2. Label
- 3. Anti-siphon
- 4. Oil storage
- 5. Tank distance
- 6. Vent pipe
- 7. Fill pipe
- 8. Gauge None
- 9. Rigidity
- 10. Ferial safety
- 11. Pipe sizes & material
- 12. Control valve
- 13. Ash pit vent
- 14. Temp. exposure rating
- 15. Insulate hot cond. None
- 16.

F. B. F. OF CORKING BOARD

C. W. ...



Location, ownership, and detail must be correct, complete and legible. Separate application required for every building.

### APPLICATION FOR PERMIT TO BUILD A PRIVATE GARAGE

Portland, Me., September 3, 1924

To THE  
INSPECTOR OF BUILDINGS

The undersigned hereby applies for a permit to build, according to the following Specifications:—

Location 42 Codman Street Fire Districts no Ward 8  
 Name of owner is? Myron D Kidder Address 42 Codman Street  
 Name of mechanic is? Brown & Berry Co Address Praga Building  
 Proposes occupancy of building (purpose) ? Private garage for two  
 cars only, and no space to be let.  
 Not nearer than two feet from any lot line, will not obstruct windows of adjoining property.  
 A Pyrene fire extinguisher to be kept in garage.  
 Size of building, No. of feet front? 20ft; No. of feet rear? 20ft; No. of feet deep? 25ft  
 No. of stories? 1  
 No. of feet in height from the mean grade of street to the highest part of the roof? 26ft  
 Floor to be? concrete  
 Will the roof be flat, pitch, mansard, or hip? pitch Material of roofing? asphalt  
 Will there be a chimney? yes Will the flues be lined? To stoves to be used.  
 Will the building conform to the requirements of the law? yes  
 Will the building be as good in appearance as other surrounding buildings? yes  
 Have you or any person acting for you previously applied for a permit to build a private garage? no  
 If so, state the particulars  
basement to be used for storage of tools and first floor for two cars

Estimated Cost, .....

\$ 1500.

Signature of owner or authorized representative,

Myron D Kidder  
Address, 47 Codman St

8633





# City of Portland, Maine

OFFICE HOURS  
10 TO 12 M.  
4 TO 5 P.

## OFFICE OF INSPECTOR OF BUILDINGS

To the Inspector of Buildings of the City of Portland: February 18th, 1916.

The undersigned respectfully makes application for a permit to erect enlarge a building on 40-42 Codman street, at number 59 to be 1 1/2 stories high 32 feet long, 27 feet wide; also an addition to be 2 stories high, 27 feet long, 27 feet wide, and to be used as a Dwelling

CELLAR WALL—To be constructed of Stone to be 20 inches wide on bottom and batter to 16 inches on top.

UNDERPINNING—To be Stone Height of underpinning from top of cellar wall to bottom of sill 2 ft. 6 inches to be 16 inches in thickness.

EXTERIOR WALLS—To be constructed of Wood If of Brick, Stone, etc. Total Height of wall 11 ft. 6 inches. Thickness of 1st 2d 3d 4th 5th 6th story walls. If of reinforced concrete, state mix and reinforcing system to be used.

If wood construction, sills to be 6x8 Girders 6x8 Floor Timbers 6x8 Spaced 16 on Centers Post 4x6 Girts 4x4 Studs 2x4 to be spaced 16

This building will be used for the purposes of Dwelling (If for apartments, tenements, or other family uses state number of families accommodated and number on each floor. If for manufacturing or mercantile purposes state character of business and amount of estimated weight to be carried by the floor.)

Number of families on floor one

Total number of families one

Manufacturing (state character) \_\_\_\_\_

Estimated load on floors per sq. ft. \_\_\_\_\_

Mercantile business (state character and load per sq. ft.) \_\_\_\_\_

If building is used for tenement house or family use and more than one family, the following provision of the Building Laws regarding dividing partitions shall be adhered to (Quote Law re. this.)

FIRESTOPS—All bearing and center partitions will have firestops cut in tight on top of each partition cap and between each set of floor timber. Where ledger board are used there shall be firestops cut in tight against bottom of ledger board of same size as wall studs. Also wherever the Inspector of Buildings may consider necessary

STAIRWAYS—No in building 01 location \_\_\_\_\_ to be enclosed with \_\_\_\_\_ walls to be lathed with \_\_\_\_\_ lathing.

ROOF—To be constructed of WOOD Rafters to be 2x3 inches to be spaced 24 inches on centers. Roof to be covered with Nonparset

Gutters to be made of WOOD Cornices to be made of WOOD

Bay Windows to be made of WOOD to be covered with \_\_\_\_\_

Dormer Windows to be made of WOOD to be covered Nonparset

Chimneys, Smoke Flues to be lined with flue lining and provided with a 10-inch outside collar and an inside collar to go to the inside of the flue.

Estimated Cost of Building: \$3800

INSPECTION—The Inspector of Buildings is to be notified when building is ready for lathing and at least 24 hours before the lathing is begun.

The Building is Brown & Berry Address Press Bldg.

The Architect is \_\_\_\_\_ Address \_\_\_\_\_

The Owner is Frederick W. Graham Address Fidelity Bldg.

No Deviation will be made from the above application without written permission from the Inspector of Buildings

The above petition was granted the Eighteenth day of February 1916

Applicant to sign here Brown & Berry



# APPLICATION FOR PERMIT

**PERMIT ISSUED**

JUN 20 1984

B.O.C.A. USE GROUP ..... 702  
 B.O.C.A. TYPE OF CONSTRUCTION .....  
 ZONING LOCATION ..... PORTLAND, MAINE ..... JUN 19, 1984

**CITY OF PORTLAND**

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE  
 The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION **42 Codman St., Richard F. Jensen - owner** Fire District # **17** Telephone # **774-7140**

1. Owner's name and address ..... Telephone .....

2. Lessee's name and address ..... Telephone .....

3. Contractor's name and address **Owner** ..... Telephone .....

Proposed use of building **dwelling** ..... No. of sheets .....  
 Last use **same** ..... No families **1** .....  
 Material ..... No stories ..... Heat ..... Style of roof ..... Roofing .....  
 Other buildings on same lot .....  
 Estimated contractual cost \$ **1,000** ..... Appeal Fees \$ .....  
 FIELD INSPECTOR--Mr. .... @ 775-5451 ..... Base Fee **15.00** .....  
 ..... Late Fee **15.00** .....  
 ..... TOTAL \$ .....  
 Stamp of Special Conditions

To construct 20' x 12' open sun deck on rear of dwelling as per plans. 1 sheet of plans

04103

**NOTE TO APPLICANT:** Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

### DETAILS OF NEW WORK

Is any plumbing involved in this work? **no** ..... Is any electrical work involved in this work? **no** .....  
 Is connection to be made to public sewer? ..... If not, what is proposed for sewage? .....  
 Has septic tank notice been sent? ..... Form notice sent? .....  
 Height average grade to top of plate ..... Height average grade to highest point of roof .....  
 Size, front ..... depth ..... No stories ..... solid or filled land? ..... earth or rock? .....  
 Material of foundation ..... Thickness, top ..... bottom ..... cellar .....  
 Kind of roof ..... Rise per foot ..... Roof covering ..... Kind of heat ..... fuel .....  
 No. of chimneys ..... Material of chimneys ..... of lining ..... Corner posts ..... Sills .....  
 Framing Lumber--Kind ..... Dressed or full size? ..... Size ..... Max. on centers .....  
 Size Girder ..... Columns under girders ..... Bridging in every floor and flat roof span over 8 feet .....  
 Studs (outside walls and carrying partitions) 2"x4-10" O. C .....  
 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 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** .....

APPROVALS BY  
 BUILDING INSPECTION--PLAN EXAMINER .....  
 ZONING .....  
 BUILDING CODE .....  
 Fire Dept .....  
 Health Dept .....  
 Others .....

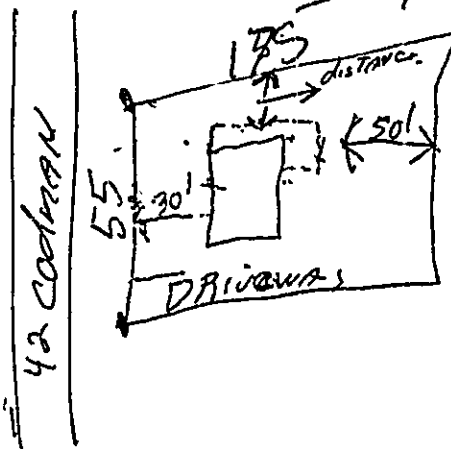
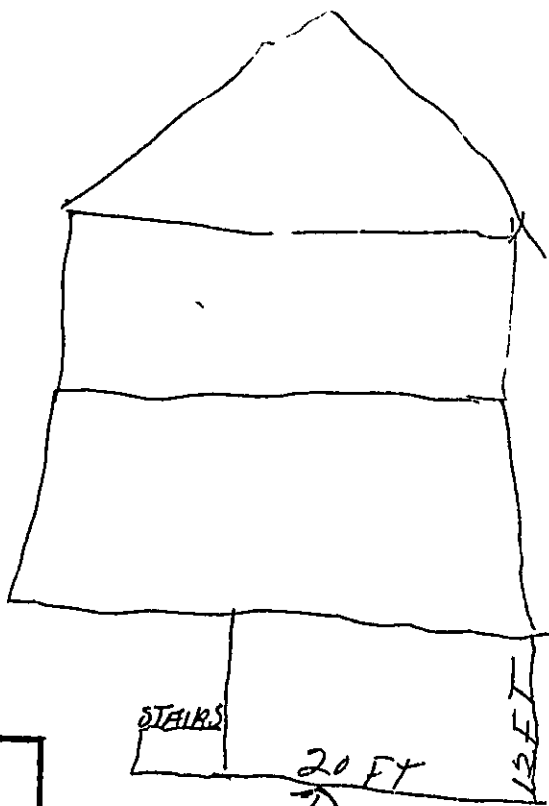
Signature of Applicant **Richard F. Jensen** Phone # **8808**  
 Type Name of above ..... 1  2  3  4   
 Other .....  
 and Address .....

FIELD INSPECTOR'S COPY

APPLICANT'S COPY

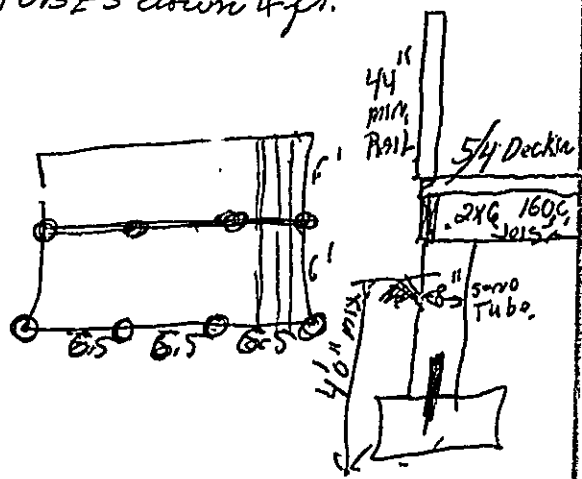
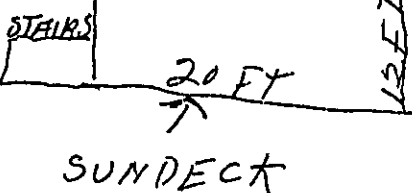
OFFICE FILE COPY

Richard F. Jensen  
 42 Codman St  
 Portland Maine  
 plot



SONOTUBES down 4-ft.

RECEIVED  
 JUN 19 1984  
 DEPT. OF BLDG. INSP.  
 CITY OF PORTLAND



1.3  
 1.6  
 ---  
 7.6  
 4.0  
 ---  
 3.6

Deck WILL be  
 PLACE where old  
 Porch WAS located.

**APPLICATION FOR PERMIT**

B.O.C.A. USE GROUP .....  
 B.O.C.A. TYPE OF CONSTRUCTION ..... **702** .....  
 ZONING LOCATION ... .. **R-3** ... .. PORTLAND, MAINE ... .. **June 19, 1984**

**PERMIT ISSUED**  
**JUN 20 1984**  
**CITY OF PORTLAND**

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION ..... **42, Codman St.** ..... Fire District #1 , #2   
 1. Owner's name and address ..... **Richard F Jensen - same** ..... Telephone ..... **774-7140**  
 2. Lessee's name and address ..... Telephone .....  
 3. Contractor's name and address ..... **Owner** ..... Telephone .....  
 Proposed use of building **dwelling** ..... No. of sheets .....  
 Last use ..... **same** ..... No. families ... **1** .....  
 Material ..... No. stories ... Heat ..... Style of roof ..... Roofing .....  
 Other buildings on same lot .....  
 Estimated contractual cost \$..... **1,000**... Appeal Fees \$ .....  
 FIELD INSPECTOR—Mr. **William S.** ..... Base Fee ..... **15.00** .....  
 @ 775-5451 ..... Late Fee .....  
 TOTAL \$ ..... **15.00** .....

To construct 20' x 12' open sun deck on rear of dwelling as per plans. 1 sheet of plans

Stamp of Special Conditions

04103

**NOTE TO APPLICANT:** Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

**DETAILS OF NEW WORK**

Is any plumbing involved in this work? ... **no** ..... Is any electrical work involved in this work? ..... **no** .....  
 Is connection to be made to public sewer? ..... If not, what is proposed for sewage? .....  
 Has septic tank notice been sent? ..... Form notice sent? .....  
 Height average grade to top of plate ..... Height average grade to highest point of roof .....  
 Size, front ..... depth ..... No. stories ..... solid or filled land? ..... earth or rock? .....  
 Material of foundation ..... Thickness, top ..... bottom ..... cellar .....  
 Kind of roof ..... Rise per foot ..... Roof covering .....  
 No. of chimneys ..... Material of chimneys ..... of lining ..... Kind of heat ..... fuel .....  
 Framing Lumber—Kind ..... Dressed or full size? ..... Corner posts ..... Sills .....  
 Size Girder ..... Columns under girders ..... Size ..... Max. 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? .....

APPROVALS BY: DATE MISCELLANEOUS  
 BUILDING INSPECTION—PLAN EXAMINER ..... Will work require disturbing of any tree on a public street? ... **no** .....  
 ZONING: **W. S. Williams** ..... **6/19/84** .....  
 BUILDING CODE: ..... 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** .....  
 Fire Dept.: .....  
 Health Dept.: .....  
 Others: .....

Signature of Applicant **Richard F. Jensen** Phone # .. **same** .....  
 Type Name of above **Richard F Jensen** ..... 1:  2:  3:  4:   
 Other .....  
 and Address .....

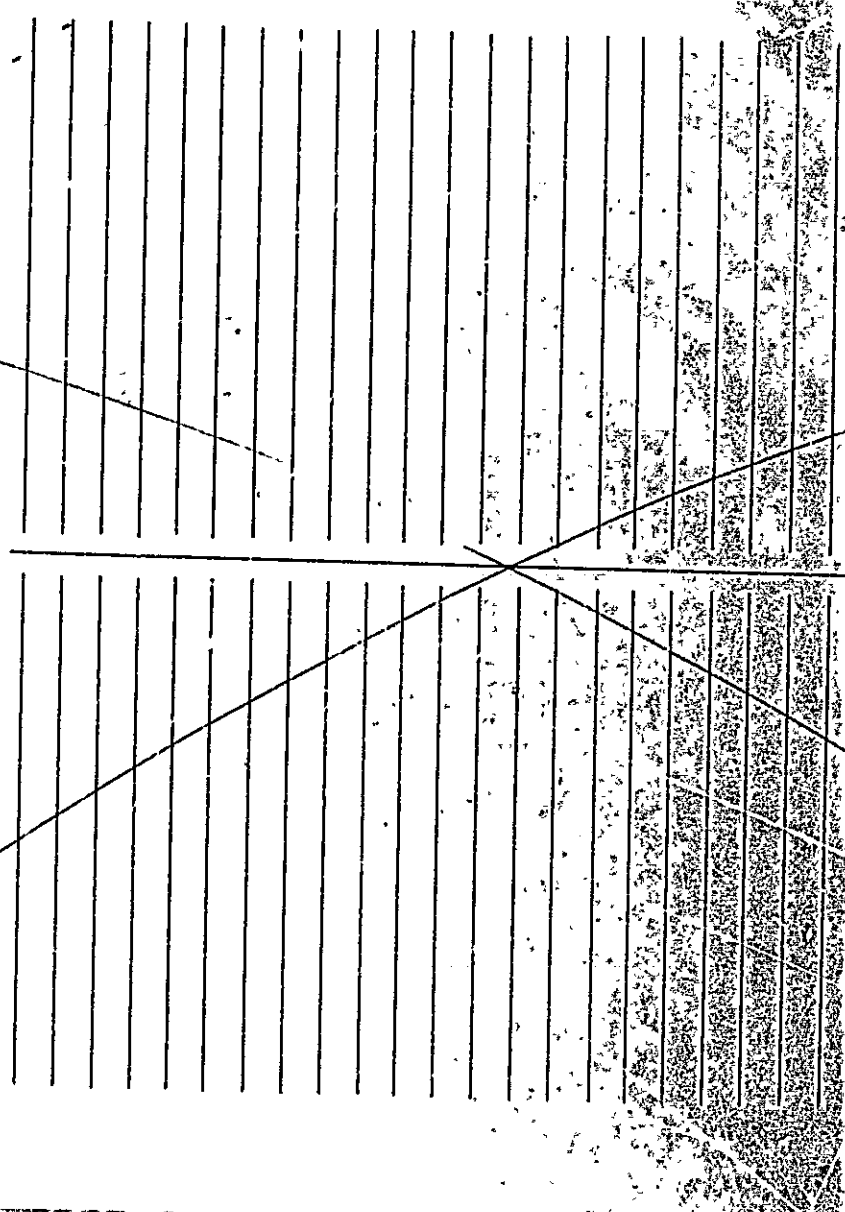
FIELD INSPECTOR'S COPY      APPLICANT'S COPY      OFFICE FILE COPY

**W. S. Williams**

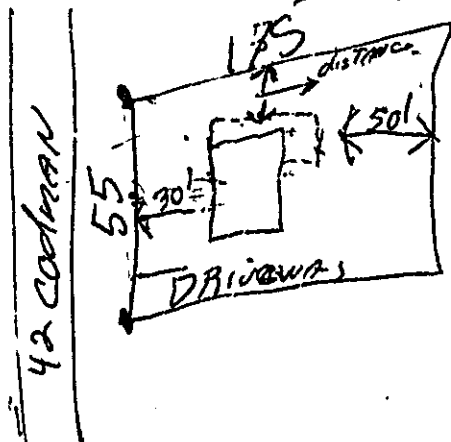
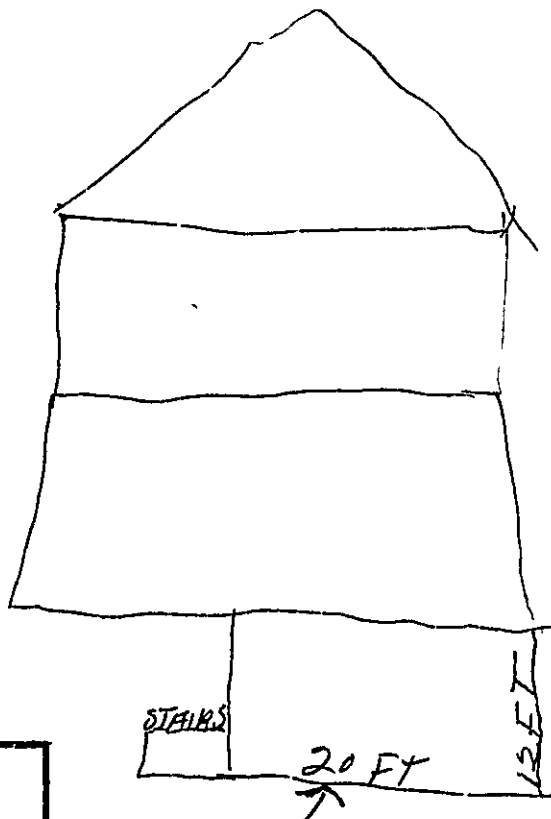
Permit no. 84/712  
Location 42 Coaling St.  
Owner Richard Jones  
Date of permit 6-19-84  
Approved 6-20-84  
Dwelling Open deck  
Garage \_\_\_\_\_  
Alteration \_\_\_\_\_

NOTES

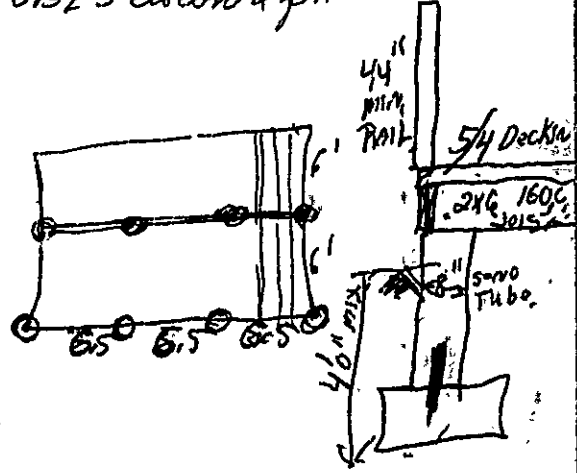
76 WALK CARRIER (R.)



Richard F. Jensen  
 42 Codman St  
 Portland Maine  
 plot



SONOTUBES down 4 ft.



RECEIVED  
 JUN 19 1984  
 DEPT. OF BLDG. INSP.  
 CITY OF PORTLAND

1.3  
 7.6  
 4.0  
 1.20

Deck will be  
 place where old  
 porch was located.



NOTES

7-6 WORK (AMUSE RW)

Permit No. 841-312  
Location 137 W. Adams St.  
Owner Richard Johnson  
Date of permit 6-19-84  
Approved 6-20-84  
Dwelling Apartment  
Garage  
Alteration

Large ruled area for notes, divided into two columns by a vertical line. The entire area is crossed out with a large diagonal line from the top-left to the bottom-right.





## CITY OF PORTLAND

DAVID A. LOURIE  
CORPORATION COUNSEL

October 26, 1987

Dan Rubinoff  
53 Codman Street  
Portland, ME 04103

RE: 42 Codman Street

Dear Mr. Rubinoff:

This letter is intended to restate the position I outlined to you during our telephone conversation on October 19. I have briefly reviewed the Portland Code of Ordinances and relevant case law concerning zoning. Grandfathering is a fairly narrow legal concept. A use which is made nonconforming by a zoning ordinance is allowed to continue if it was in existence at the time the Ordinance was passed.

As I explained to you, it is not clear whether the current use was in existence at the time the current zoning ordinance was passed. If the use did not exist at that date, as the results of your investigation suggest, the building would not be grandfathered. However, as I told you over the phone, this issue is by no means the end of the inquiry which a court would make.

The court will also consider the length of use of the building. In this instance, the building was used as a residence for at least nine years before any complaint was made about the illegality. As I explained to you, the court will focus only upon the use; it will not be concerned with the relation of the user to the property owner. The delay in pursuing this matter seriously weakens any argument that the residential use of the building has damaged the neighborhood in some way, or has caused a reduction in property values. Any such damage would have occurred as soon as the use commenced, not when the user changed from a relative of the property owner to an unrelated tenant.

Another factor which will weigh in the owner's favor is that the City issued a building permit for the renovations to his predecessor in title in 1976. This would have indicated to the current owner when he checked the records that the residential use was a legal one. Even if the use were not a legal one, there would have been no indication of this in the records that the current owner would have checked at the time of purchase. The owner will probably

argue that the price he paid for the property was based upon the existence of two residences.

Given the circumstances of this case, the City has determined that it will not pursue a legal action against the owner of 42 Codman Street. Even if the owners previous to 1976 would testify, as they indicated to you, that they never used 42 Codman as a residence, there is still the question of use previous to their ownership. Their testimony on this would not be admissible and tax records are inconclusive on the question of use. The City will bear the burden of proof in any action it files. Some evidence will not be sufficient; there must be enough evidence to convince the trier of fact that the City should prevail in an enforcement action. As I have told you, I do not feel that the City has any possibility of success, either in obtaining an injunction ordering the discontinuance of the residential use, or in obtaining civil fines. In addition, if the City were to seek fines from the owner, he would be entitled to a jury trial in Superior Court. This would probably take about two years to come to trial, and would cost the City a large amount of money to pursue. In the end the result would be the same: the City would lose.

I have discussed this matter with the appropriate persons. Warren Turner will be sending a letter to John Bowman regarding the City's official decision. If you have any further questions, you should consult with a private attorney to determine what legal rights you may have. I hope that I have adequately explained to you the basis for our decision not to pursue an enforcement action.

Sincerely yours,

*Natalie L. Burns*

Natalie L. Burns

NLB/tb

cc: Warren Turner

RECEIVED OCT 20 1987 CITY OF PORTLAND, MAINE

389 CONGRESS STREET  
PORTLAND, MAINE 04101  
(207) 775-5451



DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF  
INSPECTION SERVICES DIVISION

42 Codman St.

October 20, 1987

Mr. John E. Bowman, Jr.  
43 Codman Street  
Portland, Maine 04103

Dear Mr Bowman:

On advice of the Office of the Corporation Counsel for the City of Portland, Maine, I am writing to advise you that the City believes Mr. Coughlan's use of the building at 42 Codman Street is a legal one and that it is grandfathered. I have been asked to advise you that this is the City's final decision in this matter.

Sincerely,

*Warren J. Turner*  
Warren J. Turner  
Zoning Enforcement Inspector

cc: Joseph E. Gray, Jr., Director, Planning & Urban Development  
P. Samuel Hoffses, Chief, Inspection Services  
David Lourie, Corporation Counsel  
Natalie Burns, Associate Corporation Counsel  
Fred Williams, Code Enforcement Officer