

-64
62 BERKELEY STREET



WARREN McDONALD
INSPECTOR OF BUILDINGS

AP 62-64 Berkeley Street-1
Reply refer
file

CITY OF PORTLAND, MAINE

Department of Building Inspection

FU

August 28, 1950

Mr. Paul S. Merrill
41 Berkeley Street
Portland, Maine

Copies to: Mr. L. C. Weeks, 5 Johnson Street
Mark Barrett, Assistant Corporation
Counsel

Dear Mr. Merrill:

As you have been informed, we are unable to issue a permit for construction of a two story dwelling 24' x 30' on the lot at 62-64 Berkeley Street because the second story front wall, which is to overhang the first story one foot, is proposed only 20' from the line of Berkeley Street and in line with the front wall of the house on the adjoining lot to the north of it instead of 25' therefrom or the average of the setbacks of the existing houses on the adjoining lots on either side of it, as provided by Section 16J of the Zoning Ordinance. You have expressed a desire to exercise your appeal rights in regard to this matter and accordingly we are enclosing an outline of the appeal procedure and are certifying the case to the Assistant Corporation Counsel, who acts as clerk for the Board of Appeals.

Very truly yours,

Warren McDonald
Inspector of Buildings

WS/1

Enclosure: Outline of appeal procedure

COPY

274



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, November 28, 1950

PERMIT ISSUED 02323 NOV 29 1950 CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

N-ATH

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 62 Berkeley Street Use of Building 1-family dwelling No. Stories 2 New Building Existing Name and address of owner of appliance Paul Merrill, 41 Berkeley Street Installer's name and address A. E. Moody, 479 Auburn Street Telephone 2-0072

General Description of Work

To install forced hot water heating system and oil burning equipment

IF HEATER, OR POWER BOILER

Location of appliance or source of heat basement Type of floor beneath appliance concrete If wood, how protected? Kind of fuel oil Minimum distance to wood or combustible material, from top of appliance or casing top of furnace 30" From top of smoke pipe 18" From front of appliance over 4' From sides or back of appliance over 3' Size of chimney flue 8x12 Other connections to same flue none If gas fired, how vented? Rated maximum demand per hour

IF OIL BURNER

Name and type of burner Petro Labelled by underwriters' laboratories? yes Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? bottom Type of floor beneath burner concrete Location of oil storage basement Number and capacity of tanks 1-275 gal. If two 275-gallon tanks, will three-way valve be provided? Will all tanks be more than five feet from any flame? yes How many tanks fire proofed? Total capacity of any existing storage tanks for furnace burners none

IF COOKING APPLIANCE

Location of appliance Kind of fuel Type of floor beneath appliance If wood, how protected? Minimum distance to wood or combustible material from top of appliance From front of appliance From sides and back From top of smokepipe Size of chimney flue Other connections to same flue Is hood to be provided? If so, how vented? If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Amount of fee enclosed? 2.00 (\$2.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED:

11-28-50 [Signature]

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 Installer

[Signature: A. E. Moody]

INSPECTION COPY



(RC) RESIDENCE ZONE - C
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, August 25, 1950

PERMIT ISSUED
01650

SEP 11 1950

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~and alter~~ the following building ~~and alter~~ 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 62 Berkeley Street Within Fire Limits? no Dist. No. _____
Owner's name and address Paul Merrill, 34 41 Berkeley Street Telephone _____
Lessee's name and address _____ Telephone _____
Contractor's name and address L. C. Weeks, 5 Johnson Street Telephone 4-5703
Architect Same as house at 48 Berkeley St. Dec 4/1921 Standard Plan _____ Telephone _____
Proposed use of building dwelling and 1-car garage Plans yes No. of sheets 1
Last use _____ No. families _____
Material _____ No. stories _____ Heat _____ Style of roof _____ No. families _____
Other buildings on same lot _____ Roofing _____
Estimated cost \$ ~~4,750~~ 10,000 Fee \$ ~~2.00~~ 10.00

General Description of New Work

To construct 2-story frame dwelling house 30' x 24' and attached garage 14' x 20'.
Brick veneer on first story front.

Permit Issued with Letter

The inside of the garage will be covered, where required by law, with perforated Gypsum lath covered with one-half inch thickness Gypsum plaster. No door between house and garage.

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 L. C. Weeks
Is connection to be made to public sewer? Yes

Details of New Work

Is any plumbing involved in this work? yes Is any electrical work involved in this work? yes
Height average grade to top of plate 19' ^{7'} _{6"} Height average grade to highest point of roof 27' ^{13'} _{6"}
Size, front 30' depth 24' No. stories 2 solid or filled land? solid earth or rock? earth
Material of foundation concrete at least 4' below grade Thickness, top 10" bottom 12" cellar yes
Material of underpinning " to sill Height _____ Thickness _____
Kind of roof Pitch-gable Rise per foot 7" ^{8"} _{5"} Roof covering Asphalt Class C Und Lab
No. of chimneys 1 Material of chimneys brick of lining tile Kind of heat? _____ fuel _____
Framing lumber—Kind hemlock Dressed or full size? dressed
Corner posts 4x6 Sills 4x8 Girt or ledger board? _____ Size _____
Girders yes Size 6x10 Columns under girders iron pipe Size 4" Max. on centers 7 1/2'
Studs (outside walls and carrying partitions) 2x4 16" O. C. Bridging in every floor and flat roof span over 8 feet. Gar
Joists and rafters: 1st floor 2x10 conc., 2nd 2x10, 3rd _____, roof 2x6 2x6
On centers: 1st floor 16", 2nd 16", 3rd _____, roof 24" 24"
Maximum span: 1st floor 12', 2nd 12', 3rd _____, roof 12' 7'
If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot 0, to be accommodated 1 number commercial cars to be accommodated 0
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? no

APPROVED:

with letter by AGJ

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

Paul Merrill

Signature of owner by: _____



(R) RESIDENCE ZONE - C
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class
 Location Portland, Maine, August 25, 1950

PERMIT ISSUED
 01850
 SEP 11 1950
 CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE
 The undersigned hereby applies for a permit to erect ~~the following building~~ 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 62 Berkeley Street Within Fire Limits? no Dist. No. _____
 Telephone _____
 Owner's name and address Paul Merrill, 34 41 Berkeley Street Telephone _____
 Lessee's name and address L. C. Weeks, 5 Johnson Street Telephone 4-5703
 Contractor's name and address Same as house at 48 Berkeley St. See 49/1921 Standard Plan _____ No. of sheets _____
 Architect _____ Specifications _____ Plans yes No. families _____
 Proposed use of building dwelling and 1-car garage No. families _____
 Last use _____ Heat _____ Style of roof _____ Roofing _____
 Material _____ No. stories _____ Fee \$ ~~2000~~ 10.00
 Other buildings on same lot _____
 Estimated cost \$ ~~10,000~~ 10,000.

General Description of New Work
 To construct 2-story frame dwelling house 30' x 24' and attached garage 14' x 20'.
 Brick veneer on first story front.

Permit Issued with Letter

The inside of the garage will be covered, where required by law, with perforated Gypsum lath covered with one-half inch thickness Gypsum plaster. No door between house and garage.
 appeal sustained 9/1/50

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** L. C. Weeks
 Is connection to be made to public sewer? Yes

Details of New Work

Is any plumbing involved in this work? yes Is any electrical work involved in this work? yes
 Height average grade to top of plate 19' Gar Height average grade to highest point of roof 27' Gar
 Size, front 30' depth 24' at least 4' below grade solid earth or rock? earth
 Material of foundation concrete Thickness, top 10" bottom 12" cellar yes
 Material of underpinning " to sill " Height " Thickness "
 Kind of roof Pitch-gable Roof covering Asphalt Class C Und Lab Kind of heat? fuel
 No. of chimneys 1 Material of chimneys brick of lining tile dressed
 Framing lumber—Kind hemlock Dressed or full size? _____ Size _____
 Corner posts 4x6 Sills 4x8 Girt or ledger board? _____ Size 4" Max. on centers 7 1/2'
 Girders yes Size 6x10 Columns under girders iron pipe Size _____ roof 2x6 Gar
 Studs (outside walls and carrying partitions) 2x4 16" O. C. Bridging in every floor and flat roof span over 8 feet. Gar
 Joists and rafters: 1st floor 2x10 conc, 2nd 2x10, 3rd _____, roof 2 1/2" 2 1/2"
 On centers: 1st floor 16", 2nd 16", 3rd _____, roof 12' 7'
 Maximum span: 1st floor 12', 2nd 12', 3rd _____ height? _____

If one story building with masonry walls, thickness of walls? _____
 No. cars now accommodated on same lot 0, to be accommodated _____ number commercial cars to be accommodated 0
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? no

APPROVED:
with letter by AGJ

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

Paul Merrill

Signature of owner by:

NOTES

~~8-25-50. Stabed 20' from building~~
~~25'-6" in. thick concrete with rebar~~
~~or not be within 10' of the structure~~
~~distance. Will not be~~
~~9/25/50. Forming and rebar for~~
~~impediment B~~
~~9/25/50. Forming and rebar for~~
~~impediment B~~
~~5-1-51. Putting in finish floor~~
~~5-1-51. Putting in finish floor~~
~~5-13-51. Mr. Webb reformed floor~~
~~Putting in rebar and joints~~
~~2-1-51. Heat covered off.~~

Permit No. 501650
 Location 100 Broadway St.
 Owner Paul M. Kelly
 Date of permit 9/25/50
 Notif. closing-in 11/24/50
 Inspecting-in 1-24-51
 Final Notif. 4/24/51
 Final Insp. 6/25/51
 Cert. of Occupancy Issued 6/25/51

General Description of New Work
 to construct a new floor and
 brick masonry on first floor
 of building at 100 Broadway St.
 New York City.

I hereby certify that the above
 description of the work is true
 and correct.

NON COM
 APPROVED BY OFFICER

COPY

CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

Date of Issue June 22, 1951



Issued to Paul Merrill

This is to certify that the building, premises, or part thereof, indicated below, and built ~~under~~ ~~changed as to use at~~ ~~62-64 Berkeley Street~~ under Building Permit No. 50,1650, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire Building

APPROVED OCCUPANCY

One-family dwelling house
one-car garage

Limiting Conditions:

This certificate supersedes
certificate issued 5/1

Thomas G. Hamilton
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

AP 62-64 Berkeley Street-f

September 11, 1950

Mr. L. C. Weeks
5 Johnson Street
Mr. Paul Merrill
41 Berkeley Street

Gentlemen:

The appeal under the Zoning Ordinance having been sustained by the Board of Appeals, the permit for construction of a two story dwelling 24' x 30' with attached garage 14' x 20' at 62-64 Berkeley Street is issued herewith subject to the following:

1. It should be noted that the appeal was sustained on the basis that the wall of the overhanging second story is to be at least 20' back from the street line or as far therefrom as the front wall of the existing dwelling on the adjoining lot to the north. This means that the foundation wall will need to be kept 21' from the street line on the basis that the second story is not to overhang the first more than one foot. The permit is issued on the basis that this will be done.

2. It is understood that this building is to be constructed according to the plans and additions thereto filed with permit 49/1;21 for the construction of the dwelling at 46-48 Berkeley Street.

Very truly yours,

Warren McDonald
Inspector of Buildings

WSS/G

AP 62-64, Berkeley Street-I

August 25, 1934

Mr. Paul S. Merrill
41 Berkeley Street
Portland, Maine

Copies to: Mr. L. C. Weeks, 5 Johnson Street
Mark Barrett, Assistant Corporation
Counsel

Dear Mr. Merrill:

As you have been informed, we are unable to issue a permit for construction of a two story dwelling 24' x 30' on the lot at 62-64 Berkeley Street because the second story front wall, which is to overhang the first story one foot, is proposed only 20' from the line of Berkeley Street and in line with the front wall of the house on the adjoining lot to the north of it instead of 25' therefrom or the average of the setbacks of the existing houses on the adjoining lots on either side of it, as provided by Section 14J of the zoning Ordinance. You have expressed a desire to exercise your appeal rights in regard to this matter and accordingly we are enclosing an outline of the appeal procedure and are certifying the case to the Assistant Corporation Counsel, who acts as clerk for the Board of Appeals.

Very truly yours,

Warren McDonald
Inspector of Buildings

WJS/G

Enclosure: Outline of appeal procedure

STATEMENT ACCOMPANYING APPLICATION FOR BUILDING PERMIT

for dwelling and garage
at 62 Berkeley Street Date 8/25/30

1. In whose name is the title of the property now recorded? Paul Merrill
2. Are the boundaries of the property in the vicinity of the proposed work shown clearly on the ground, and how? stakes
3. Is the outline of the proposed work now staked out upon the ground? yes
If not, will you notify the Inspection Office when the work is staked out and before any of the work is commenced? _____
4. What is to be maximum projection or overhang of eaves or drip? _____
5. Do you assume full responsibility for the correctness of the location plan or statement of location filed with this application, and does it show the complete outline of the proposed work on the ground, including bay windows, porches and other projections? yes
6. Do you assume full responsibility for the correctness of all statements in the application concerning the sizes, design and use of the proposed building? yes
7. Do you understand that in case changes are proposed in the location of the work or in any of the details specified in the application that a revised plan and application must be submitted to this office before the changes are made? yes

L. P. ...

New folder
City of Portland, Maine
Board of Appeals

Sustained
9/1/50 *50/99*

—ZONING—

August 30, 19 50

To the Board of Appeals:

Your appellant, Paul E. Merrill, who is the owner of property at 62-64 Berkeley Street, 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.

Permit is desired for construction of a two story dwelling 24' by 30' on the lot at 62-64 Berkeley Street but is not issuable because the second story front wall which is to overhang the first story one foot, is proposed only 20' from the line of Berkeley Street and in line with the front wall of the house on the adjoining lot to the north of it instead of 25' therefrom or the average of the setbacks of the existing houses on the adjoining lots on either side of it, as provided by Section 16J of the Zoning Ordinance.

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 and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Paul E. Merrill
Appellant

After public hearing held on the 1st day of September, 1950, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case.

Edward J. Colby
Allen C. Bryant
William H. O'Brien
John W. Lake
Gerald A. Cole
BOARD OF APPEALS

DATE: September 1, 1950

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF PAUL E. MERRILL
AT 62-64 Berkeley Street

Public hearing on above appeal was held before the Board of Appeals.

Board of Appeals

VOTE

Municipal Officers

	Yes	No
Mr. Colley	(x)	()
Mr. Lake	(x)	()
Mr. Cde	(x)	()
Mr. O'Brion	(x)	()
Mrs. Frost	(x)	()
	()	()
	()	()
	()	()

Record of Hearing:

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

August 30, 1950

Paul E. Merrill
41 Berkeley Street
Portland, Maine

Dear Mr. Merrill:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday September 1, 1950 Daylight Saving Time to hear your appeal requesting permit for the construction of a two story dwelling on your lot at 62-64 Berkeley Street.

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

Edward T. Colley
Chairman

CITY OF PORTLAND, MAINE

BOARD OF APPEALS

August 30, 1950

C
O
P
Y

Osma Flumer
53 Berkeley Street
Portland, Maine

Dear Sir:

The Board of Appeals will hold a public hearing in the Council Chamber, City Hall, Portland, Maine on Friday, September 1, 1950 at 10:30 A. M. Daylight Saving Time to hear the appeal of Paul E. Merrill requesting an exception to the Zoning Ordinance relating to the construction of a two story dwelling at 62-64 Berkeley Street.

If you are interested either for or against this appeal, you may be heard at the above time and place.

Edward T. Colby
Chairman

cc

cc: Robert E. Brantford
62 Berkeley Street