

39-41 MONTROSE AVENUE

CHAMBERLAIN

Full cut #920R Half cut #9202R Third cut #9203R Full cut #9205R



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION R-5 PORTLAND, MAINE, ... May 19, 1981

PERMIT ISSUED

JUN 11 1981

517

CITY OF PORTLAND

To the DIRECTOR 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 41 Montrose Avenue 04102
1. Owner's name and address . Camillo Breggia - same Fire District #1 ☐ #2 ☐
2. Lessee's name and address Telephone 772-3864
3. Contractor's name and address . Seal Best Pool Co. - Gray, Maine Telephone
4. Architect Specifications Plan No. of sheets
Proposed use of building . inground swimming pool No. families
Last use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contract cost \$ 5,700 28.50

FIELD INSPECTOR—Mr.

This application is for: @ 775-5451
Dwelling Ext. 234

Garage
Masonry Bldg.
Metal Bldg.
Alterations
Demolitions
Change of Use
Other

To install inground swimming, 16' x 32' plans on file in office.

Stamp of Special Conditions

This application is preliminary to an application 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:

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 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. 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?

APPROVALS BY:

DATE

BUILDING INSPECTION—PLAN EXAMINER
ZONING: O.K. M.A.D. 6/12/81

BUILDING CODE:

Fire Dept.:

Health Dept.:

Others:

MISCELLANEOUS

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

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

Signature of Applicant

Phone # same

Type Name of above ... Camillo Breggia

1 ☒ 2 ☐ 3 ☐ 4 ☐

Other

and Address

FIELD INSPECTOR'S COPY

6

NOTES

6/15/81 - \$1000 habitat fee paid & appeals heard. Das
 et al. No work going on today GB
 7/28/81 - work in - boundaries OK - GB

Approved

Date of Permit

Owner

Location

Permit No.

6-12-81

6-12-81

8/5/81

41 Maricao Ave

Carmelo Braggs

[illegible]

76.000

SIDE 1422

下
下
下

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45,5

„8,01

RECEIVED
MAY 20 1981
DEPT. OF BLDG. INSP.
CITY OF PORTLAND



CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION
COMPLAINT

Location:

41 Montrose Avenue

INSPECTION COPY

COMPLAINT NO. 81-35

Date Received May 18, 1981

Location 41 Montrose Avenue Use of Building _____
Owner's name and address Camillo Breggia - same Telephone 772-3864
Tenant's name and address _____ Telephone _____
Complainant's name and address Neighbor Telephone _____

Description: Man is installing a swimming pool in back yard, has the entire yard dug up, can find no permits on this.

NOTES: Seal Best Co of Hiram is putting in the pool.
5/19/81 - owner came in for permit & is going to have to appeal
it because he doesn't meet the side yards. Walter
gave OK to shore up sides. - CB

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

- A. Applicant Camillo Breggia
- B. Property Location 73-41 Montrose Ave.
- C. Applicant's Interest in Property:
- (x) Owner
() Tenant
() Other _____
- D. Property Owner same
- E. Owner's Address same
- F. Zone (Circle One):
- R-1 R-2 R-3 R-5 R-6 R-4
- R-P B-1 B-2 B-3 A-B
- I-P I-1 I-2 I-2b I-3 I-3b I-4
- RPZ W-1
- G. Site Plan Approval required no
- H. Present Use of Property dwelling
- I. Section(s) to Which Variance Related 602.24.C
- J. Reasons Why Permit Cannot be Issued distance between proposed pool & left side lot line will be about 7 ft. and about 6 ft. from rear lot line rather than the 10 ft. min.
- K. Requested Variance Would Permit installation of swimming pool
- _____
- _____
- _____
- _____
- L. Notice Sent to _____ Adjacent Property Owners

- () Disapproval - All conditions required by Sec.602.24C 3.b. (1) do not exist with respect to this property, as evidenced by one or more negative responses to statements set forth in IV. A. through IV. E. above, and that a space and bulk variance should not be granted in this case.

VI. Signatures of Board

Chairman

APPROVED
Morris Murphy

James E. Farnsworth
James E. Farnsworth
James E. Farnsworth
James E. Farnsworth
Merrill D. Farnsworth

Appearances

A. Those Advocating Variance

Mr. Peggia

12th Aug 1904, Abutok

Max Wilman to Monty

Highland House, 34 North Ave

Jack Hayes, 32 (Attachments, As Necessary)

B. These Opposing Variance

Mr. Tarleton, 46 Monroe

[illegible]

As Necessary)

III. Exhibits (Any documents, photos, plans, further findings of fact, etc. presented to the Board as part of its records)

1. brown map, plot 3a, lot 3a of 1766

IV. Reasons for Decisions - Undue Hardship (The following checklist relates with the Board of Appeals hardship definitions for Space and Bulk variances as contained in Section 602.24C 3.b.(1) (a) through (e)

A. The parcel is exceptional due to physical characteristics or topographic features which amount to more than a mere inconvenience

() Yes/Agreement with statement /

() No/Disagreement with statement 5

Reasons _____

B. If yes, the unique physical conditions: (Check One)
Sec. 602.24C 3.b.(1) (b)

() Existed at the time of the enactment of the provision from which a variance is sought; or

() Were caused by natural forces; or

() Were the result of governmental action

Pertinent ordinance provision deprives owner of substantial use or enjoyment of property in the manner commonly enjoyed by owners of property subject to the same provisions (Sec. 602.24C 3.b. (1) (c))

☒ Yes/Agreement with statement

☐ No/Disagreement with statement

Reasons _____

- D. As evidenced by affirmative answers to either IV. A. or IV. C. above, the variance will not create a special privilege for the applicant. Sec. 602.24C 3.b. (1) (d)

☒ Yes/Agreement with statement

☐ No/Disagreement with statement

Reasons _____

- E. The variance will not adversely affect neighborhood property in the same zone and will not be detrimental to the general public health and safety. Sec. 602.24C 3.b. (1) (e)

☒ Yes/Agreement with statement

☐ No/Disagreement with statement

Reasons _____

V. Specific Relief Granted

After a public hearing held on June 11, 1981, the Board of Appeals finds that: (Check One)

- ☒ Approval - All of the conditions required by Sec. 602.24C 3.b.(1) exist with respect to this property, as evidenced by affirmative responses to all statements set forth in IV. A. through IV. E above, and that a space and bulk variance be granted in this case.

Conditions of Approval (If any) _____

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

- A. Applicant Camillo Breggia
- B. Property Location 39-41 Montrose Ave.
- C. Applicant's Interest in Property:
 ☒ Owner
 ☐ Tenant
 ☐ Other _____
- D. Property Owner same
- E. Owner's Address same
- F. Zone (Circle One):
 R-1 R-2 R-3 R-5 R-6 R-4
 R-P B-1 B-2 B-3 A-B
 I-P I-1 I-2 I-2b I-3 I-3b I-4
 RPZ W-1
- G. Site Plan Approval required no
- H. Present Use of Property dwelling
- I. Section(s) to Which Variance Related 602.24.C
- J. Reasons Why Permit Cannot be Issued distance between proposed pool & left side lot line will be about 7 ft. and about 6 ft. from rear lot line rather than the 10 ft. min.
- K. Requested Variance Would Permit installation of swimming pool

- L. Notice Sent to _____ Adjacent Property Owners

() Disapproval - All conditions required by Sec.602.24C 3.b. (1) do not exist with respect to this property, as evidenced by one or more negative responses to statements set forth in IV. A. through IV. E. above, and that a space and bulk variance should not be granted in this case.

VI. Signatures of Board

PRESENT
Thomas Murphy

Chairman

John E. Zeman
John E. Zeman
Eugene J. H. H. H.
John E. H. H. H.
Mr. J. H. H. H.

II. Appearances

A. Those Advocating Variance

Mr. Priggin
Lincoln P. Priggin, abutter
May Johnson, do Mortise
Edward Thum, 34 Mortise
Jade Hayes, 32 Mortise

B. Those Opposing Variance

Mrs. Forrestal, 45 Mortise

III. Exhibits (Any documents, photos, plans, further findings of fact, etc. presented to the Board as part of its records)

Section map, plat p. 1, lot 32 owned by owner

IV. Reasons for Decisions - Undue Hardship (The following checklist relates with the Board of Appeals hardship definitions for Space and Bulk variances as contained in Section 602.24C 3.b.(1) (a) through (e)

A. The parcel is exceptional due to physical characteristics or topographic features which amount to more than a mere inconvenience

() Yes/Agreement with statement /

() No/Disagreement with statement 5

Reasons _____

B. If yes, the unique physical conditions: (Check One)
Sec. 602.24C 3.b.(1) (b)

() Existed at the time of the enactment of the provision from which a variance is sought; or

() Were caused by natural forces; or

() Were the result of governmental action

- C. Pertinent ordinance provision deprives owner of substantial use or enjoyment of property in the manner commonly enjoyed by owners of property subject to the same provisions (Sec. 602.24C 3.b. (1) (c))

☒ Yes/Agreement with statement

☐ No/Disagreement with statement

Reasons _____

- D. As evidenced by affirmative answers to either IV. A. or IV. C. above, the variance will not create a special privilege for the applicant. Sec. 602.24C 3.b. (1) (d)

☒ Yes/Agreement with statement

☐ No/Disagreement with statement

Reasons _____

- E. The variance will not adversely affect neighborhood property in the same zone and will not be detrimental to the general public health and safety Sec. 602.24C 3.b. (1) (e)

☒ Yes/Agreement with statement

☐ No/Disagreement with statement

Reasons _____

V. Specific Relief Granted

After a public hearing held on June 11, 1981 the Board of Appeals finds that: (Check One)

- ☒ Approval - All of the conditions required by Sec. 602.24C 3.b.(1) exist with respect to this property, as evidenced by affirmative responses to all statements set forth in IV. A. through IV. E above, and that a space and bulk variance be granted in this case.

Conditions of Approval (If any) _____

39-41 Montrose Ave.

May 20, 1981

Camillo Breggia
41 Montrose Ave.
Portland, Me.

c.c. Seal Best Pool Co.
Gray, Me.

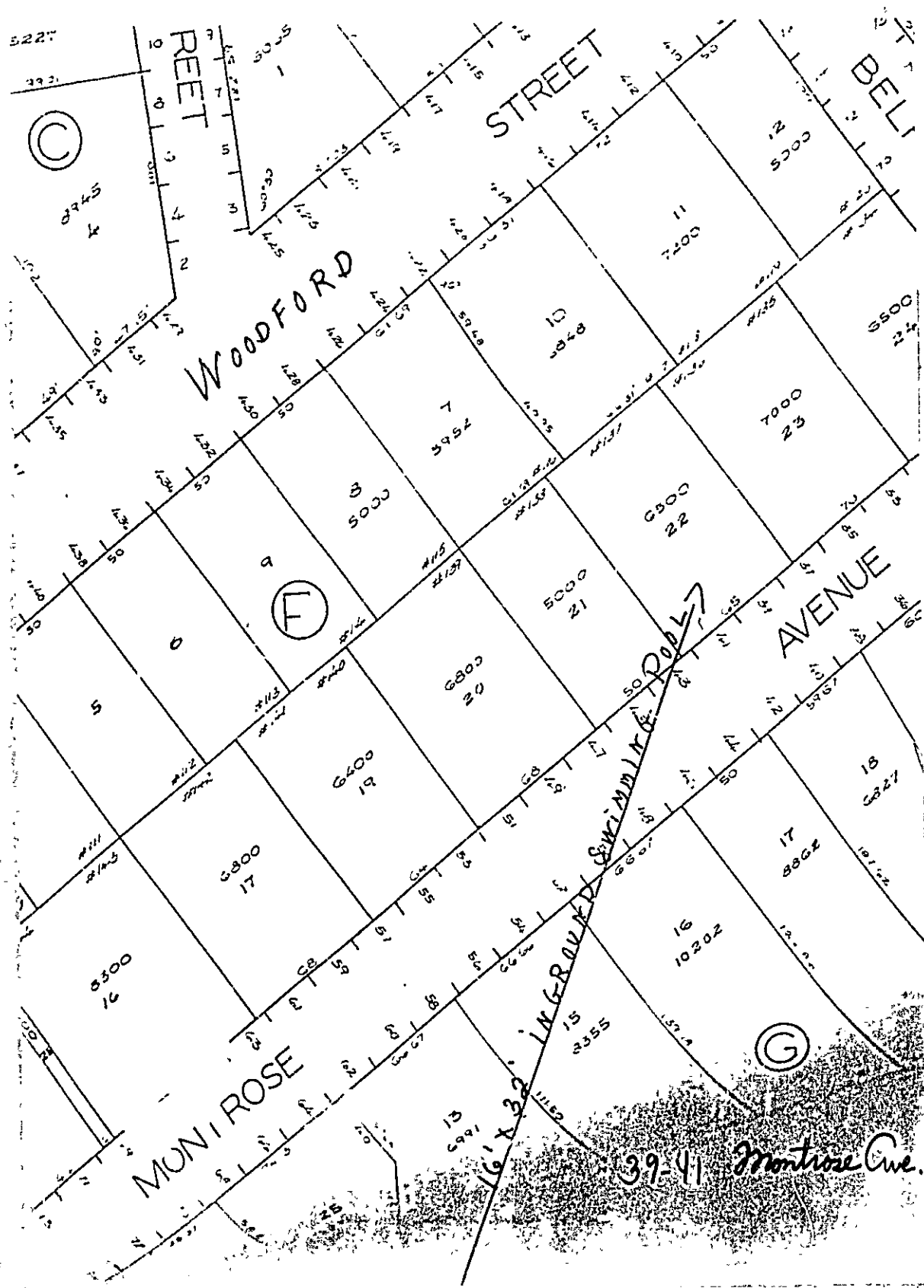
Building permit to install a 16'x32' inground swimming pool at the above named location is not issuable under the Zoning Ordinance because the distance between the proposed pool and the left side lot line will be about 7 ft. and about 6 ft. from the rear lot line rather than the 10 ft. minimum required by Section 602.19.K.3 (R-5 Residential Zone)

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, room 317, City Hall to file the appeal on forms which are available here. A fee of \$25. for a Space and Bulk 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. Section 602.24.C.3.b.1

Very truly yours,

Malcolm C. Ward
Zoning Enforcement Officer

MGW:k



CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS



THOMAS J. MURPHY
Chairman

GAIL D. ZAYAC
Secretary

JACQUELINE COHEN
TIMOTHY E. FLAHERTY
EUGENE S. MARTIN
MERRILL S. SELTZER
MICHAEL E. WESTORT

All persons interested either for or against this Space & Bulk Variance Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, June 11, 1981 at 3:30 p.m. This notice of required public hearing has been sent to the owners of property directly abutting, and directly across a street or alley from the property as required by Ordinance.

Camillo Breggia, owner of property at 39-41 Montrose Ave., under the provisions of Section 602.24.C of the Zoning Ordinance of the City of Portland, Maine hereby respectfully petitions the Board of Appeals to permit installation of a 16'x32' inground swimming pool at above named location which is not issuable under the Zoning Ordinance because the distance between the proposed pool and the left side lot line will be about 7 ft. and about 6 ft. from the rear lot line rather than the 10 ft. minimum required by Section 602.19.K.3 (R-5 Residential Zone).

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24.C. (3)(b)(1) of the Zoning Ordinance have been met.

Gail D. Zayac
Secretary

- 176-F-23 Barbara & David Hume - 33 Montrose Ave
- 176-F-21 Beverly & Arthur Forrestall - 45 Montrose Ave.
- 176-F-10 Anthony J & Beatrice Rumo - 418 Woodford St.
- 176-F-7 Jacob & Molly Cinamon - 424 Woodford St.
- 176-G-18 Carolyn & Jay Holman - 40 Montrose Ave.
- 176-G-17 Dorothy Millman - 44 Montrose Ave.

PD
5-19-81

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

SPACE AND BULK VARIANCE (OTHER THAN FOR DWELLING UNIT CONVERSIONS)

Camillo Breggia, owner of property at 39-41 Montrose Ave.

under the provisions of Section 602.24 C of the Zoning Ordinance of the City of
Portland, hereby respectfully petitions the Board of Appeals to permit:

Installation of 16'x32' inground swimming pool at above named location
which is not issuable under the Zoning Ordinance because the distance
between the proposed pool and the left side lot line will be about
7 ft. and about 6 ft. from the rear lot line rather than the 10 ft.
minimum required by Section 602.19.K.3 (R-5 Residential Zone).

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds
that the conditions imposed by Section 602.24 C(3)(b)(1) of the Zoning Ordinance have
been met. (See reverse side hereof for said conditions.)

Site Plan approval (is/is not) required by the Site Plan Ordinance. If site plan
approval is required, a preliminary or final site plan is attached hereto as Exhibit A.


APPELLANT

602.24 C(3)(b)(1) Space and Bulk Variances other than for Dwelling Unit Conversions:

- (a) The subject lot or parcel is exceptional as compared to other lots or parcels subject to the same provision by reason of unique physical condition, including irregularity, narrowness, shallowness, or substandard or marginal size; exceptional topographical features; and other extraordinary physical conditions peculiar to and inherent in the lot or parcel in question, which amount to more than a mere inconvenience to the owner.
- (b) The aforesaid unique physical condition existed at the time of the enactment of the provision from which a variance is sought or were created by natural forces which are the result of governmental action.
- (c) The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the lot or parcel in question of substantial use and enjoyment of this property in the manner commonly enjoyed by owners of other lots or parcels subject to the same provision.
- (d) The hardship is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots or parcels subject to the same provision.
- (e) Property in the same zone or neighborhood will not be adversely affected by the granting of the variance and the granting of the variance will not create conditions which would be detrimental to the public health or safety.



FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR
HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, Sept. 1, 1955

PERMIT ISSUED

014743

CITY of PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

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 ... 41 Montrose Ave. ... Use of Building 2-family dwelling No. Stories ... ~~Max~~ Building Existing "
Name and address of owner of appliance ... Lloyd Johnson, 41 Montrose Ave.
Installer's name and address ... Bruns Oil & Service, 38 Portland St. Telephone 2-2960

General Description of Work

To install (2) oil burning equipment in connection with existing steam heating systems
(conversion)

IF HEATER, OR POWER BOILER

Location of appliance ... Any burnable material in floor surface or beneath?
If so, how protected? ... Kind of fuel?
Minimum distance to burnable material, from top of appliance or casing top of furnace
From top of smoke pipe ... From front of appliance ... From sides or back of appliance ...
Size of chimney flue ... Other connections to same flue
If gas fired, how vented? ... Rated maximum demand per hour
Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion?

IF OIL BURNER

Name and type of burner ... Winkler ... 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 ... Size of vent pipe 1 1/4" 1 1/4"
Location of oil storage ... basement ... Number and capacity of tanks 1-275 gal. 1-275 gal.
Low water shut off ... yes ... Make Watts No. 89A
Will all tanks be more than five feet from any flame? yes ... How many tanks enclosed?
Total capacity of any existing storage tanks for furnace burners none

IF COOKING APPLIANCE

Location of appliance ... Any burnable material in floor surface or beneath?
If so, how protected? ... Height of Legs, if any
Skirting at bottom of appliance? ... Distance to 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? ... Forced or gravity?
If gas fired, how vented? ... Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Amount of fee enclosed? 2.50 (\$2.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED:

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

Bruns Oil & Service

Signature of Installer by:

[Signature]

INSPECTION COPY

C17-254-1M PAKEN

Approved

Date of permit

Cyrene

Locația

Permit No. 55/473

11/20/2005 wire

mit 07/10/55

NOTES		Permit No.	Location	Owner	Date of permit	Approved
1 Mill Pipe		55/1473	41 Montrose Ave.	Clair J. Johnson	11/1/55	
2 Vent Pipe						
3 Kind of Heat	7-15-55. Found with burner's O.K. but 2					
4 Burner Rightly & Supports	small pipes (now) touching wooden partition partly covered with metal & asbestos. Suggested removing partition to Mrs. Johnson.					
5 Name & Label						
6 Rack or Stand						
7 High Limit Control						
8 Remote Control						
9 Piping Support & Protection						
10 Valves to Supply Line						
11 Capacity of Tanks						
12 Tank Height & Supports						
13 Tank Distance						
14 Oil Range						
15 Isolation (Anti)						
16 Low Water Control						

16-13-85 Completed (M)



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

City of Portland.

OFFICE OF INSPECTOR OF BUILDINGS

To the Inspector of Buildings of the City of Portland:12-16-1911

The undersigned respectfully makes application for a permit to erect enlarge a building on Montrose Ave street at number 41 to be one stories high 18 feet long 17 feet wide; also an addition to be one stories high 17 feet long, and to be used as a Garage.

CELLAR WALL—To be constructed of Iron Plate to be 4" inches wide on bottom and batter to inches on top.

UNDERPINNING—To be Iron Plate height of underpinning from top of cellar wall to bottom of sill ft. inches to be inches in thickness.

EXTERIOR WALLS—To be constructed of Wood If of Brick, Stone, etc. Total length of wall ft. 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 4-8" Girders 6-6" Posts 4-6" Girts 2-4" Studs 2-4" to be spaced 16 in

This building will be used for the purposes of Garage (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.....
Total number of families.....
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 provisions of the Building Laws regarding dividing partition, 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 timbers. Where ledger boards are used there shall be firestops cut in tight against bottom of ledger boards, of same size as wall studs. Also wherever the Inspector of Buildings may consider necessary.

STAIRWAYS—No. in building one location to be enclosed with walls to be lathed with lathing.

ROOF—To be constructed of Wood Rafters to be 2-4" inches to be spaced 20 in on 2-6" inches on centers. Roof to be covered with Shingles
Gutters to be made of Iron Cornices to be made of Wood
Bay windows to be made of Wood to be covered with Wood
Dormer Windows to be made of Wood to be covered Wood
Chimneys, Smoke flues to be lined with iron and provided with a 10 inch outside collar and an inside collar to go to the inside of the flue

Estimated Cost of Building 150

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 Builder is D. R. Fullmer Address 41 Montrose Ave

The Architect is do Address do

The Owner is do Address do

No Deviation will be made from the above application without written permission from the Inspector of Buildings.
The above petition was granted the 16th day of Dec 1911.

(Applicant to sign here D. R. Fullmer)

PERMIT NO. 18647

DATE OF ISSUE 12-16-11

LOCATION

41 Montrose Ave.
B Fillmore

APPLICATION APPROVED

RECEIVED

OFFICE OF THE CITY ENGINEER