

**CITY OF PORTLAND, MAINE**  
ZONING BOARD OF APPEALS



GAIL D. ZAYAC  
Chairperson

MICHAEL E. WESTORT  
Secretary

JACQUELINE COHEN  
TIMOTHY E. FLAHERTY  
EUGENE S. MARTIN  
THOM. J. MURPHY  
MERRILL S. SELTZER

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, February 11, 1982 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.

Mr. Michael Morin, owner of the property at 1239 Congress St., under the provisions of Sec. 602.24.C of the Zoning Ordinance of the City of Portland, Maine hereby respectfully petitions the Board of Appeals to permit change of use from 2 family dwelling to 3 family apt. bldg. with new apt. on third floor which is not issuable for the following reason.

The area of the lot on which the conversion of units from 2 family to 3 apts. is contemplated is only 5,291 sq. ft. instead of 9,000 sq. ft. (3000 sq. ft. per unit) as required by Sec. 602.6.B.8 of the Zoning Ordinance.

Legal Basis of Appeal: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Sec. 602.24.C. (3) (b) (1) of the Zoning Ordinance have been met.

Michael E. Westort  
Secretary

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

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

Michael McIn, owner of property at 1239 Congress St.  
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:

change of use from 2 family dwelling to 3 family apt. bldg. with new apt. on  
third floor which is not issuable for the following reason.

The area of the lot on which the conversion of units from two family to 3 apts.  
is contemplated is only 5,291 sq. ft. instead of 9,000 sq. ft. (3000 sq. ft.  
per unit) as required by Sec. 602.6.B.8 of the Zoning Ordinance

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 attach-  
ed hereto as Exhibit A.

  
APPELLANT

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

APPLICATION FOR VARIANCES FOR DWELLING UNIT CONVERSIONS

Michael Morin, owner of property at 1239 Congress St.

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:

Change of use from 2 family dwelling to 3 family apt. bldg. with new apt. on third floor which is not issuable for the following reason.

Such a use is not permitted under Sec. 602.6.A of the City Zoning Ordinance in the R-5 Residence Zone where property is located. Sec. 602.24.C.3.b.1

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)(2) of the Zoning Ordinance have been met. (See reverse hereof for said conditions.)

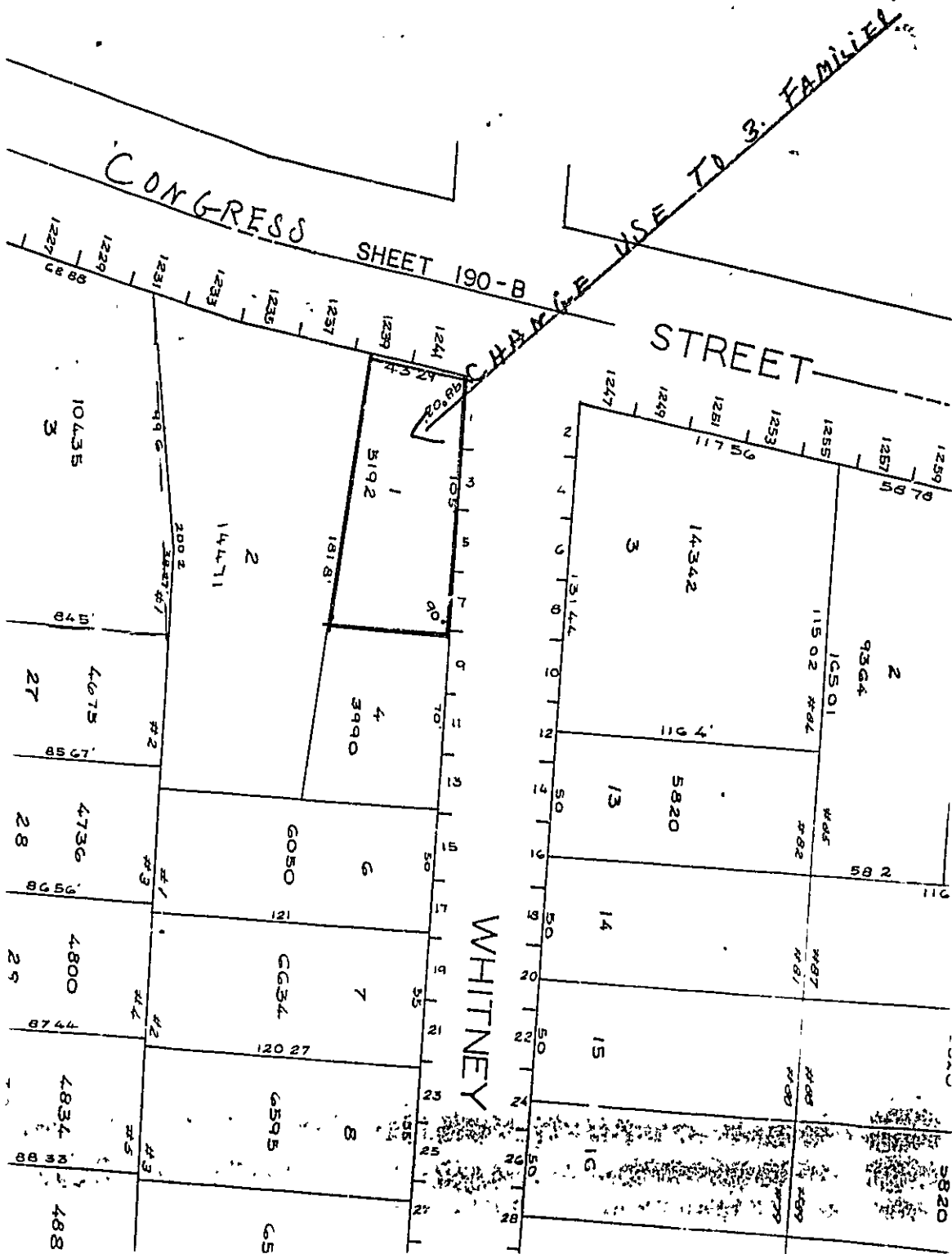
Site Plan approval (is/is not) required by the Site Plan Ordinance. If site plan approval is required, a preliminary or final site plan is attached hereto as Exhibit A.

Michael Morin  
APPELLANT

602.24 C(3)(b)(2) Variance for Dwelling Unit Conversions.

- (a) The subject property consists of a structure which by reason of its size or the size of the lot on which it is located could legally accommodate more dwelling units than are permitted in the residential zone where it is located.
- (b) By reason of its age, condition or marketability, the structure cannot be economically used or maintained if used for no more than the number of dwelling units permitted in the residential zone where it is located.
- (c) The existing uses in the immediate vicinity of the subject property are not of such nature and condition as to justify rezoning a reasonable area in the vicinity of the subject property to a classification which would permit the economic use and maintenance of the subject property.
- (d) Adequate provision has been made for on-site or off-site parking spaces in a number sufficient to meet the requirements of Section 602.14. If the variance is granted, it would comply with all other provisions of this ordinance and all other codes or ordinances of the City or meets the requirements for a variance of those provisions.
- (e) The conversion of the subject property so as to accommodate more dwelling units than are permitted in the zone in which it is located would not significantly interfere with the use and enjoyment of other land in the vicinity.
- (f) None of the foregoing conditions have been deliberately created by, or with the consent or acquiescence of, the owner, his predecessors in title, or any user of the property in order to bring the subject property within the standards of this section and no alternative available to the owner other than a variance to permit an increase in the permitted number of dwelling units would suffice to permit the economic use and maintenance of the subject property.

1239 Congress Street



CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Chairman and Members of the Board of Appeals

DATE: 2-9-82

FROM: Warren J. Turner, Zoning Specialist

*Warren J. Turner*

SUBJECT: Dwelling Unit Conversion at 1239 Congress St. (186-C-1)

The applicant, Mr. Michael P. Monn, owner of the two family structure at 1239 Congress Street requests that the structure be changed to a 3 family apartment building with the new unit to be located on the third floor.

The area of the lot on which the building is located is only 5,291 sq. ft. instead of 9,000 sq. ft. as required by Sec. 602.6.B.8 of the Zoning Ordinance (3,000 sq. ft. per family unit).

The subject property is located on Congress Street, at the corner of Whitney Avenue next to the old Bailey House (1730) which formerly belonged to Howard U. Heller, now owned by Millicent L. Vetterlein.

The present assessed value of the subject property is land: \$4,220 Building: \$25,200 Total \$29,420.

**CITY OF PORTLAND, MAINE**

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MERRILL S. SELTZER

All persons interested either for or against this Dwelling Unit Conversion Variance Appeal will be heard at a public hearing in Room 209, City Hall, Portland Maine on Thursday, February 25, 1982 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 subject property, as required by ordinance.

Michael Morin, owner of property at 1239 Congress St, 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 change of use from 2 family dwelling to 3 family apt. bldg. with new apt. on third floor which is not issuable for the following reason.

Such a use is not permitted under Sec. 602.6.A of the City Zoning Ordinance in the R-5 Residence Zone where property is located. Sec. 602.24.C.3.b.1

Legal Basis of Appeal: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Sec. 602.24.C(3)(b)(2) of the Zoning Ordinance have been met.

Michael E. Westort  
Secretary

PERMIT TO INSTALL PLUMBING

Date Issued **March 6, 1968**  
 Portland Plumbing Inspector  
 By **ERNOLD R GOODWIN**

App. First Insp.  
 Date **MAR 7 - 68**  
 By **ERNOLD R. GOODWIN**

CHIEF PLUMBING INSPECTOR  
 App. Final Insp.  
 Date **MAR 7 - 1968**  
 By **ERNOLD R. GOODWIN**  
 CHIEF PLUMBING INSPECTOR  
 Type of Bldg.

- Commercial
- Residential
- Single
- Multi Family
- New Construction
- Remodeling

Address **1214 Congress Street** PERMIT NUMBER **18098**

Installation For **2 fms.**

Owner of Bldg: **George Rogers**

Owner's Address: **1214 Congress St.**

Plumber **Maurice Colton, Wellington Rd.** Date: **3-6-68**

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

Building and Inspection Services Dept.; Plumbing Inspection





FILL IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, March 5, 1968

PERMIT ISSUED MAR 5 1968 165 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 124 1/2 Congress St. Use of Building Dwelling No. Stories 2 1/2 New Building Existing " Name and address of owner of appliance George K Rogers, 398 Brighton Ave. Installer's name and address Randall & McAllister 84 Commercial St. Telephone

General Description of Work

To install Oil-fired steam boiler(replacement) first floor.

IF HEATER, OR POWER BOILER

Location of appliance Basement Any burnable material in floor surface or beneath? none Kind of fuel? oil How protected? Minimum distance to burnable material, from top of appliance or casing top of furnace 3' Top of smoke pipe 3' From front of appliance over 4' From sides or back of appliance over 3' Chimney flue 12x12 Other connections to same flue none Rated maximum demand per hour Sufficient fresh air be supplied to the appliance to insure proper and safe combustion? yes

IF OIL BURNER

Type of burner Thatcher-guntypa 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 1/2" Location of oil storage basement Number and capacity of tanks 275 gals. Low water shut off yes Make McD-Miller No. 369 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

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? 2.00 (\$2.00 for one heater, etc., \$1.00 additional for each additional heater, etc., in same building at same time.)

APPROVED: OK 3-5-68 [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 Randall & McAllister

by: [Signature]

CS 300

Signature of Installer

INSPECTION COPY

[Handwritten initials]

Permit No. 68/165

Location 144 Laguna St

Owner K. K. K. K.

Date of permit 3/5/68

Approved MAR 6 - 1968

NOTES

1	Fill Pipe	
2	Vent Pipe	
3	Kind of Heat	
4	Manufacturer's Signature	
5	Manufacturer's Name	
6	Sheet Count	
7	Manufacturer's Co.	
8	Permit Number	
9	City	
10	State	
11	City	
12	Telephone	
13	Address	
14		
15	Instruction Card	
16	Low Water Shut-off	

Large blank area for handwritten notes, crossed out with a large X.

# CITY OF PORTLAND, MAINE

## Application for Permit to Install Wires

Permit No. *56630*  
 Issued *3/5/68*

Portland, Maine February 20, 19 68

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 **Geo. K. Rogers, 398 Brighton Avenue** Tel. \_\_\_\_\_  
 Contractor's Name and Address **Randall & Mc Allister, 84 Cornl. St.** Tel. \_\_\_\_\_  
 Location **1241 Congress Street** Use of Building **2 Family Dwelling**  
 Number of Families **2** Apartments \_\_\_\_\_ Stores \_\_\_\_\_ Number of Stories \_\_\_\_\_  
 Description of Wiring: New Work **X** Additions \_\_\_\_\_ Alterations \_\_\_\_\_  
 Install Model **BQC-3S Thatcher Boiler Burner Unit-Steam controls**  
 Pipe Cable \_\_\_\_\_ Metal Molding \_\_\_\_\_ BX Cable \_\_\_\_\_ Plug Molding (No. of feet) \_\_\_\_\_  
 No. Light Outlets \_\_\_\_\_ Plugs \_\_\_\_\_ Light Circuits \_\_\_\_\_ Plug Circuits \_\_\_\_\_  
**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) **1** No. Motors **1** Phase **1** H.P. **1/8**  
 Commercial (Oil) \_\_\_\_\_ No. Motors \_\_\_\_\_ Phase \_\_\_\_\_ H.P. \_\_\_\_\_  
 Electric Heat (No. of Rooms) \_\_\_\_\_  
**APPLIANCES:** No. Ranges \_\_\_\_\_ Watts \_\_\_\_\_ Brand Feeds (Size and No.) \_\_\_\_\_  
 Elec. Heaters \_\_\_\_\_ Watts \_\_\_\_\_  
 Miscellaneous \_\_\_\_\_ Watts \_\_\_\_\_ Extra Cabinets or Panels \_\_\_\_\_  
 Transformers \_\_\_\_\_ Air Conditioners (No. Units) \_\_\_\_\_ Signs (No. Units) \_\_\_\_\_  
 Will commence **Feb. 20 19 68** Ready to \_\_\_\_\_ in \_\_\_\_\_ 19 \_\_\_\_\_ Inspection **Feb. 26 19 68**  
 Amount of Fee \$ **2.00** ✓

Signed **Randall & Mc Allister**

DO NOT WRITE BELOW THIS LINE

SERVICE	METER	GROUND
VISITS: 1                      2                      3                      4                      5                      6		
7                      8                      9                      10                      11                      12		
REMARKS:		

INSPECTED BY *JW*

(OVER)

LOCATION *Congress St 1241*  
 INSPECTION DATE *3/4/68*  
 WORK COMPLETED *3/6/68*  
 TOTAL NO. INSPECTIONS *1*  
 REMARKS:

**FEES FOR WIRING PERMITS EFFECTIVE JULY 31, 1963**

**WIRING**

1 to 30 Outlets .....  
 31 to 60 Outlets .....  
 Over 60 Outlets, each Outlet .....  
 (Each twelve feet or fraction thereof of fluorescent lighting or  
 any type of plug molding will be classed as one outlet).  
 SERVICES .....  
 Single Phase .....  
 Three Phase .....

**MOTORS**

Not exceeding 50 H.P. ....  
 Over 50 H.P. ....

**HEATING UNITS**

Domestic (OH) .....  
 Commercial (OH) .....  
 Electric Heat (Each Room) .....

**APPLIANCES**

Ranges, Cooking Tops, Ovens, Water Heaters, Disposals, Dish-  
 washers, etc. — Each Unit .....

**TEMPORARY WORK (limited to 6 months from date of permit)**

Service, Single Phase .....  
 Service, Three Phase .....  
 Wiring, 150 Outlets .....  
 Wiring, each additional outlet over 50 .....  
 Circuits, Carlin's Fair .....

MISC. *2.00*

2.00

**CITY OF PORTLAND, MAINE**  
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MERRILL S. SELTZER

1239 Congress St.

February 17, 1982

Mr. Michael Monn  
1239 Congress St.  
Portland, Me. 04102

Dear Mr. Monn:

As you know, the Board of Appeals at their February 11th meeting voted unanimously to table your application for a Space and Bulk Variance and Dwelling Unit Conversion from a two family to a three family apartment building with a new unit established on the third floor at the above location.

The Board tabled your variance requests pending receipt of a more detailed financial statement. A copy of this blank form is enclosed for your completion and return to this office prior to the February 25th meeting.

If I may be of further assistance, please do not hesitate to contact me.

Sincerely,

Warren J. Turner  
Zoning Specialist

c.c. P.S. Hoffses, Chief of Inspection Services

FINANCIAL ANALYSIS STATEMENT

	Yearly Expenses Before Conversion*	Yearly Expense After Conversion
Yearly mortgage or loan debt service (exclude equity)		
Amount of Mortgage <u>27,000</u>	P + E.	P + E
Dates of Term <u>3/79</u> - <u>4/2009</u>	1200	1600
Interest Rate <u>8%</u>		
Total Cost of Conversion <u>2,500 - 3,500</u>		
Real Estate Taxes	600	800
Insurance (exclude personal property)	125	300
Water and Sewer (only renter(s) costs)	160	300
Heat (only if you pay tenant(s) heat costs)		
Electricity (only if you pay tenant(s) electricity costs).		
Legal		
Audit		
Trash removal		
Maintenance	100	200
Repairs	100	200
Snow Removal	75	150
Lawn Care	100	100
Supplies	50	100
Payroll		
Reserve for replacement	750	1000
Reserve for vacancy <u>5%</u>	180	315
Advertising	10	20
Management and bookkeeping		
TOTAL YEARLY COST	3450	5085
TOTAL RENTAL INCOME	3600	7200
No. of Apartments _____	* See attached sheet	
Rents Apartment 1 <u>300</u>		
Apartment 2 <u>300</u>		
Apartment 3 <u>OWNER</u>		

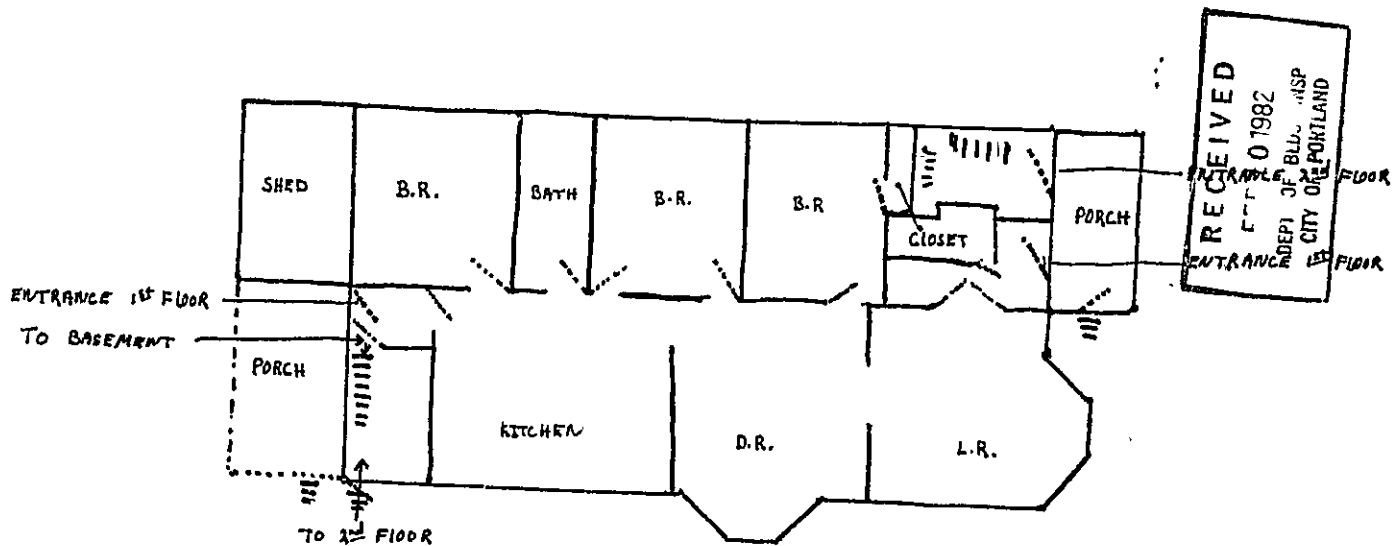
\*All figures must include only the costs or percentage of costs attributable to the rental units and not the personal living costs of the owner's unit. If this is a 2-family house, only 50% of cost is eligible if the owner occupies one unit.

2-Family

3600	Income
<u>3450</u>	Cost
+ 150	
<u>- 1000</u>	Repairs done to date (amortized over 5-yr.)
- 850	
<u>- 1000</u>	Downpayment (amortized over 5-yr.)
- 1850	Loss per year as a two family
<u>- 750</u>	(Roof + insulation)
- 2600	Loss per year as a two family

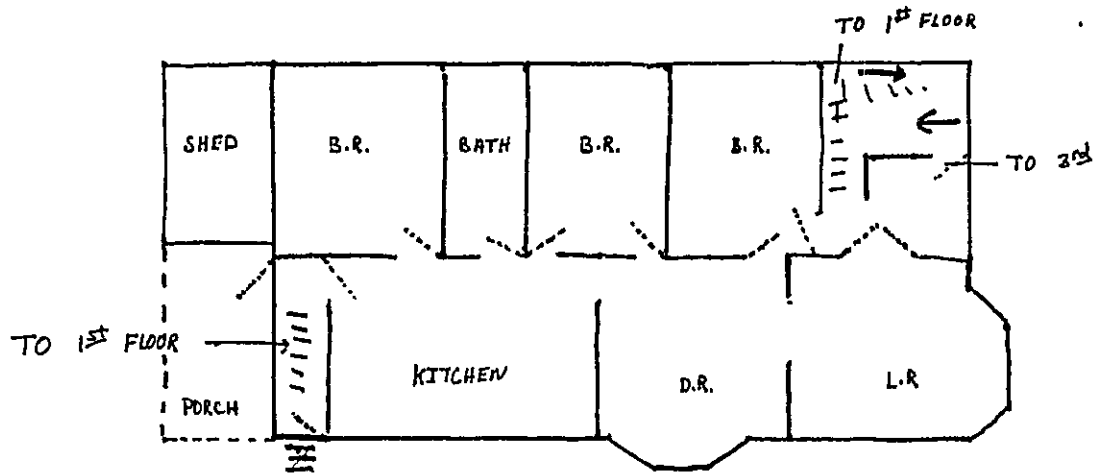
3-Family

7200	Income
<u>5085</u>	Cost
+ 2115	
<u>- 1000</u>	Repairs done to date (amortized over 5-yr.)
1115	
<u>- 1333</u>	Downpayment (amortized over 5-yr.)
- 218	Loss per year as a three family
<u>- 1000</u>	(Roof + insulation)
- 1218	Loss per year as a three family



FIRST FLOOR

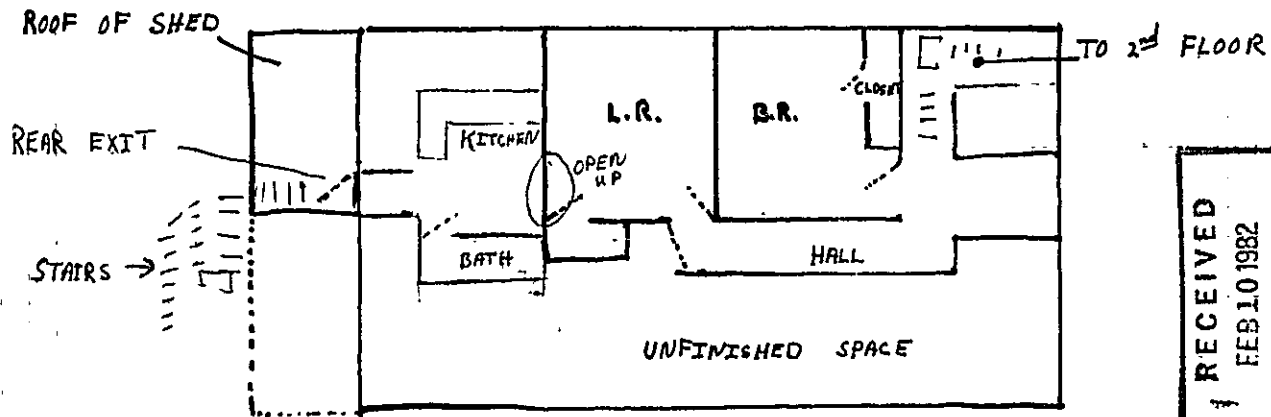




RECEIVED  
 FEB 10 1932  
 DEPT OF BRDG. INSP  
 CITY OF PORTLAND

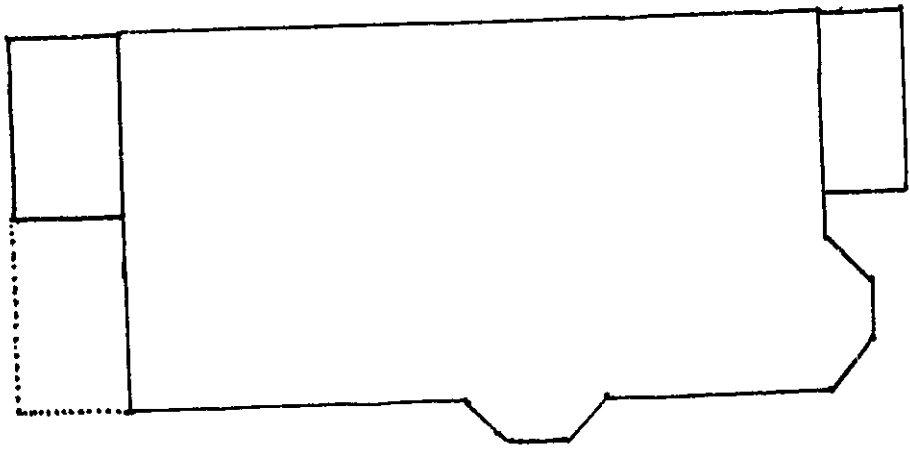
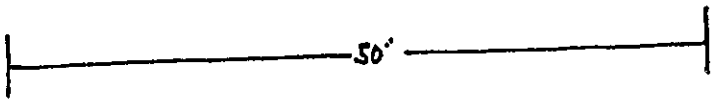
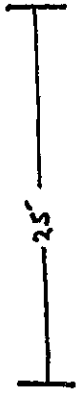
SECOND FLOOR

BLUE = PROPOSED CONSTRUCTION



RECEIVED  
FEB 10 1982  
DEPT. OF BLDG. INSP.  
CITY OF PORTLAND

THIRD FLOOR



WHITNEY AVENUE

RECEIVED  
FEB 10 1982  
DEPT. OF BLDG. INSP  
CITY OF PORTLAND

CONGRESS STREET

**CITY OF PORTLAND, MAINE**  
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Legal Basis of Appeal: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Sec. 602.24.C. (3) (b) (1) of the Zoning Ordinance have been met.

Michael E. Westort  
Secretary

1  
1239 Congress St. - Michael Morin  
186-C-1

(6)

186-C-4

Charles & Sharon Noyes  
55 Groveside -02

186-C-2

Millicent L. Vetterlein  
1235 Congress 02

186-A-3

Roman Catholic Bishop of P  
309 Cong. St. 04101

190-D-1

1250 Congress St. Associates

1250 Congress St. 04102

189-A-10

Amalgamated Ins.

38 Warwick St 04103

189-A-14 - Ramadalen

C. S. R. Associates

1230 Congress St 04102

FINANCIAL ANALYSIS STATEMENT

	Yearly Expenses Before Conversion*	Yearly Expense After Conversion
Yearly mortgage or loan debt service (exclude equity)		
Amount of Mortgage <u>\$1 27,000</u>		
Dates of Term <u>3-13-79 - 4-1-2009</u>		
Interest Rate <u>8%</u>		
Total Cost of Conversion <u>3,500 - 3,500</u>		
Real Estate Taxes (est.)	597.22	630.00
Insurance (exclude personal property) (est.)	107.50	160.00
Water and Sewer (only renter(s) costs) (est.)	168.75	240.00
Heat (only if you pay tenant(s) costs)	—	— ?
Electricity (only if you pay tenant(s) electricity costs).	—	— ?
Legal	—	—
Audit	—	—
Trash removal	—	—
Maintenance	100.00	150.00
Repairs	100.00	150.00
Snow Removal	—	—
Lawn Care	50.00	60.00
Supplies	—	—
Payroll	—	—
Reserve for replacement	—	—
Reserve for vacancy	—	—
Advertising	10.00	15.00
Management and bookkeeping	—	—
TOTAL YEARLY COST	1133.47	1405.00
TOTAL RENTAL INCOME	3360.00	6060.00
No. of Apartments <u>2</u>		
Rents Apartment 1 <u>280</u>		
Apartment 2 <u>Min.</u>		
Apartment 3 _____		

\*All figures must include only the costs or percentage of costs attributable to the rental units and not the personal living costs of the owner's unit. If this is a 2-family house, only 50% of cost is eligible if the owner occupies one unit.

**RECEIVED**  
 FEB 10 1982  
 DEPT. OF BLDG. INSP.  
 CITY OF PORTLAND

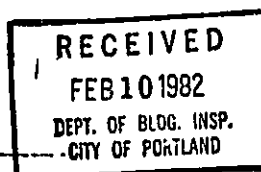
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Yearly mortgage or loan debt service (exclude equity)		
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Dates of Term <u>3-23-79 - 4-1-2009</u>		
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Water and Sewer (only renter(s) costs) (est.)	<u>168.75</u>	<u>240.00</u>
Heat (only if you pay tenant(s) heat costs)	<u>-</u>	<u>- ?</u>
Electricity (only if you pay tenant(s) electricity costs).	<u>-</u>	<u>- ?</u>
Legal	<u>-</u>	<u>-</u>
Audit	<u>-</u>	<u>-</u>
Trash removal	<u>-</u>	<u>-</u>
Maintenance	<u>100.00</u>	<u>150.00</u>
Repairs	<u>100.00</u>	<u>150.00</u>
Snow Removal	<u>-</u>	<u>-</u>
Lawn Care	<u>50.00</u>	<u>60.00</u>
Supplies	<u>-</u>	<u>-</u>
Payroll	<u>-</u>	<u>-</u>
Reserve for replacement	<u>-</u>	<u>-</u>
Reserve for vacancy	<u>-</u>	<u>-</u>
Advertising	<u>10.00</u>	<u>10.00</u>
Management and bookkeeping	<u>-</u>	<u>-</u>
<b>TOTAL YEARLY COST</b>	<u>1133.47</u>	<u>1405.00</u>
<b>TOTAL RENTAL INCOME</b>	<u>3360.00</u>	<u>6060.00</u>

No. of Apartments 2

Rents Apartment 1 280  
 Apartment 2 Plus  
 Apartment 3 \_\_\_\_\_

\*All figures must include only the costs or percentage of costs attributable to the rental units and not the personal living costs of the owner's unit. If this is a 2-family house, only 50% of cost is eligible if the owner occupies one unit.



Applicant: <sup>Mom</sup> Michael ~~Moran~~  
Address: 1239 Congress St.  
Assessors No.: 186-C-1

Date: 2/9/82

CHECK LIST AGAINST ZONING ORDINANCE

- Date -
- Zone Location - R-5 Residence
- Interior of corner lot -
- 40 ft. setback area (Section 21) - NA
- Use - Request change from two family to 3 apt.
- Sewage Disposal O.K.
- Rear Yards -
- Side Yards -
- Front Yards - } O.K.
- Projections -
- Height - 3 story
- Lot Area - 5291 sq. ft.
- Building Area -
- Area per Family - 3,000 sq. ft.
- Width of Lot - 50'
- Lot Frontage 43' on Congress St. and 105' on Whitney Ave.
- Off-street Parking -
- Loading Bays -
  
- Site Plan -
- Shoreland Zoning -
- Flood Plains -



1239-1241 CONGRESS STREET



SHANK WALKER

Full cut # 920H - Half cut # 9202H - Third cut # 9203H - Fifth cut # 9204H

**CITY OF PORTLAND, MAINE**  
ZONING BOARD OF APPEALS



GAIL D. ZAYAC  
Chairperson

MICHAEL E. WESTORT  
Secretary

JACQUELINE COHEN  
TIMOTHY E. FLAHERTY  
EUGENE S. MARTIN  
THOMAS J. MURPHY  
MERRILL S. SELTZER

All persons interested either for or against this Dwelling Unit Conversion Variance Appeal will be heard at a public hearing in Room 209, City Hall, Portland Maine on Thursday, February 25, 1982 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 subject property, as required by ordinance.

Michael Morin, owner of property at 1239 Congress St, 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 change of use from 2 family dwelling to 3 family apt. bldg. with new apt. on third floor which is not issuable for the following reason.

Such a use is not permitted under Sec. 602.6.A of the City Zoning Ordinance in the R-5 Residence Zone where property is located. Sec. 602.24.C.3.b.1

Legal Basis of Appeal: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Sec. 602.24.C(3)(b)(2) of the Zoning Ordinance have been met.

Michael E. Westort  
Secretary

\_\_\_\_\_

\_\_\_\_\_

The foregoing conditions (have/have not) been deliberately created by, or with the consent or acquiescence of, the owner, his predecessors and title, or any user of the property in order to bring the subject property within the standards of this section, as shown by: \_\_\_\_\_

\_\_\_\_\_

There (is/is not) any alternative available to the owner, other than a variance to permit an increase in the number of dwelling units, which would suffice to permit the economic use and maintenance of the subject property because of the following: \_\_\_\_\_

\_\_\_\_\_

SPECIFIC RELIEF GRANTED

After a public hearing held on \_\_\_\_\_, the Board of Appeals find that all of the conditions required by the Ordinance (do/do not) exist with respect to this property and that a variance for dwelling unit conversion should \_\_\_\_\_ be granted in this case.

It is therefore determined that a variance from the provisions of the Zoning Ordinance should \_\_\_\_\_ be granted in this case.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TABLED  
2/11/82

CITY OF PORTLAND, MAINE  
BOARD OF APPEALS

SPACE AND BULK VARIANCE APPEAL

I. Findings of Fact

A. Applicant Michael ~~Smith~~ *MORIN*

B. Property Location 1239 Congress St.

C. Applicant's Interest in Property: owner

- (X) Owner
- ( ) Tenant
- ( ) Other

D. Property Owner Michael Morin

E. Owner's Address 1239 Congress St.

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 2 family

I. Section(s) to Which Variance Related 602.24.C

J. Reasons Why Permit Cannot be Issued Area of lot is only 5,291' instead of 9000' (3000' per unit) as required by Sec.602.6.B.8 of Zoning Ordinance

K. Requested Variance Would Permit 3 apt. unit

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

L. Notice Sent to \_\_\_\_\_ Adjacent Property Owners

II. Appearances

A. Those Advocating Variance

B. Those Opposing Variance

MICHAEL MONN  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attachments, As Necessary)

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

\_\_\_\_\_  
\_\_\_\_\_

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

(6) No/Disagreement with statement

Reasons NO REASONS FOR

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

(6) No/Disagreement with statement

Reasons NO EVIDENCE

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)

(4) Yes/Agreement with statement

( ) No/Disagreement with statement

Reasons \_\_\_\_\_

V. Specific Relief Granted

After a public hearing held on 2/25/82 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) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

(b) 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

*Opposed*

Gail D. Payoc Chairman  
Michael A. Watal  
Jacqueline G. Gagny  
Ernestine M. Martin  
Donald E. Haker  
Marcella A. Gagny

**CITY OF PORTLAND, MAINE**  
ZONING BOARD OF APPEALS



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EUGENE S. MARTIN  
THOMAS J. MURPHY  
MERRILL S. SELTZER

1239 Congress Street

March 4, 1982

Mr. Michael Monn  
1239 Congress Street  
Portland, Maine 04102

Dear Mr. Monn:

As you know, the Board of Appeals by a unanimous vote denied your application for a Space & Bulk Variance to permit conversion of your building at the above named location from two family to three apartments with the proposed new unit on the third floor.

Therefore, I regret that a building permit cannot be issued for the remodeling project which you contemplated.

A refund of \$25.00 is being sent to you under separate cover, as voted by the Board of Appeals on Feb. 25, 1982.

Sincerely,

Warren J. Turner  
Zoning Specialist

cc to: Joseph E. Gray, Dir. of Planning & Urban Dev.  
cc to: P.S. Hoffses, Chief of Bldg. Inspections

WJT/t



1239 Congress St.

January 28, 1982

Mr. Michael Morin  
1239 Congress St.  
Portland, Me. 04102

Dear Mr. Morin:

Building permit and certificate of occupancy cannot be issued for the building at the above named location due to the following zoning requirements.

1. The area of the lot on which the conversion of units from two family to 3 apartments is contemplated is only 5,291 sq. ft. instead of 9,000 sq. ft. (3,000 sq. ft. per unit) as required by Sec. 602.6.B.8 of the Zoning Ordinance (Space & Bulk Variance)
2. Such a use is not permitted under Sec. 602.6.A of the City Zoning Ordinance in the D-5 Residence Zone where property is located. Dwelling Unit Conversion Appeal Sec. 602.24.C.3.b.1

We understand you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office and file the appeal on forms which are available here. If fee has been paid and appeal filed, then please consider this letter as a matter of formality.

Sincerely,

Warren J. Turner  
Zoning Specialist

C.C. P.S. Hoffses  
Chief of Insp. Services

APPLICATION FOR PERMIT

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

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

ZONING LOCATION ... R-5 ... PORTLAND, MAINE ... 1-28-82 .....

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 ... 1239 Congress Street ... Fire District #1  #2

1 Owner's name and address Michael Monn - same Telephone 772-2606

2 Lessee's name and address Telephone

3 Contractor's name and address Telephone

No of sheets

Proposed use of building ... 3-family apartment building ... No families

Last use ... 2-family apartment building ... No families

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

Other buildings on same lot

Estimated contractual cost \$ ... Appeal Fees \$ 25.00 paid

FIELD INSPECTOR—Mr. ... Base Fee

@ 775-5451

Late Fee

Change of use from 2-family apartment building to a 3-family apartment building with new apartment on third floor

TOTAL \$

Stamp of Special Conditions

Appeal Denied 2-25-82
This application is a legal fee. In the event the appeal is a legal fee.

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

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 repair be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY DATE MISCELLANEOUS
BUI: DING INSPECTION—PLAN EXAMINER Will work require disturbing of any tree on a public street?
ZONING Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?
BUILDING CODE
Fire Dept
Health Dept
Others:

Signature of Applicant Michael Monn - owner Phone #

Type Name of above Michael Monn 1 2 3 4

Other and Address

Correction!

Name of applicant for  
1232 Congress St. is:

Mr. Michael Moun

not Moria, as previously  
indicated on the agenda.

CITY OF PORTLAND, MAINE  
IN THE BOARD OF APPEALS

VARIANCE FOR DWELLING UNIT CONVERSIONS

Findings of Fact

The applicant is Michael Morin and he is interested in the property located at 1239 Congress St. as 3 family apt. unit.

The owner of the property is same and his address is 1239 Congress St. The property is located in a R-5 Zone.

The present use of the property is 2 family bldg.

The applicant respectfully petitions the Board of Appeals for a variance from the provision of Section 602.24 C of the Ordinance to permit change of use from 2 to 3 family apt. bldg.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Further Findings of Fact

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Appearances

The names and addresses of those appearing in support of the application are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and the names and addresses of those appearing in opposition to the application are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exhibits

The documentary evidence presented to the Board, including, but not by way of limitation, plans, specification, photographs, etc. consisted of the following:



FILL IN COMPLETELY AND SIGN WITH INK

0919

PERMIT ISSUED

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, 7/17/1941

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 123 Congress St Use of Building Residence No. Stories New Building Existing Name and address of owner of appliance Geo R Rogers - 123 Congress St Installer's name and address Randall T McAllister - 84 Canal St Telephone 32441

General Description of Work

To install Oil Burner in new Boiler to Existing Steam

IF HEATER, POWER BOILER OR COOKING DEVICE

Is appliance or source of heat to be in cellar? yes If not, which story Kind of Fuel Material of supports of appliance (concrete floor or what kind) concrete Minimum distance to wood or combustible material, from top of appliance or casing top of furnace, 2 ft from top of smoke pipe 7 ft from front of appliance 10 ft from sides or back of appliance 3 ft + 6 ft Size of chimney flue 10 x 12 Other connections to same flue none

IF OIL BURNER

Name and type of burner Timken Labeled and approved by Underwriters' Laboratories? yes Will operator be always in attendance? Type of oil feed (gravity or pressure) gravity Location oil storage Basement No. and capacity of tanks 1 - 275 gal. Will all tanks be more than seven 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.)

Signature of Installer Randall T McAllister

INSPECTION COPY

13250

Permit No. 40/919

Location 1239 Congress St.

Owner George H. Rogers

Date of Permit 7/1/40

Post Card sent

Notif. for inspn None

Approval Expired 11/9/40 O.B.

Oil Burner Check List (date) 10/2/40.

1. Kind of heat Steam

2. Label

3. Anti-siphon

4. Off storage

5. Tank distance

6. Vent Pipe

7. Fill Pipe

8. Gauge

9. Rigidity

10. Feed safety

11. Pipe sizes and materials

12. Control valve

13. Ash pit vent

14. Temp. or pressure safety

15. Instruction card

16.

10/2/40. Glass surface  
pipe covering blown to  
smoke pipe & boiler etc  
10/3/40. No lamp not used  
this covering should be  
removed. O.B.  
11/9/40. Coverings removed. O.B.

NOTES

7/15/40. Not in etc.  
8/27/40. Installation started  
O.B.



# APPLICATION FOR PERMIT PERMIT ISSUED 0766

Class of Building or Type of Structure Third Class JUN 7 1939  
Portland, Maine, June 6, 1939

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect/alter/install the following building structure/equipment in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 1239 Congress Street Within Fire Limits? no Dist. No. \_\_\_\_\_  
Owner's or lessor's name and address George E. Rogers, 1239 Congress St. Telephone \_\_\_\_\_  
Contractor's name and address L. D. Weeks, 5 Johnson St. Telephone 4-5793  
Architect \_\_\_\_\_ Plans filed no No. of sheets \_\_\_\_\_  
Proposed use of building 2 car garage No. families \_\_\_\_\_  
Other buildings on same lot 2 family dwelling house  
Estimated cost \$ 75. Fee \$ .50

### Description of Present Building to be Altered

Material wood No. stories 1 Heat no Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Last use 2 car garage No. families \_\_\_\_\_

### General Description of New Work

To provide concrete slab under building

NOTIFICATION BEFORE LATRIN  
OR CLOSING-IN IS WAIVED  
CERTIFICATE OF OCCUPANCY  
REQUIREMENT IS WAIVED

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and for the heating contractor.

### Details of New Work

Height average grade to top of plate \_\_\_\_\_  
Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
To be erected on solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
Material of foundation concrete slab Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
Material of underpinning \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_  
Kind of Roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_  
Kind of heat \_\_\_\_\_ Type of fuel \_\_\_\_\_ Is gas fitting involved? \_\_\_\_\_  
Framing Lumber—Kind \_\_\_\_\_ Dressed or Full Size? \_\_\_\_\_  
Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_  
Material columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.  
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 2 to be accommodated 2  
Total number commercial cars to be accommodated none  
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? no

### Miscellaneous

Will above work require removal or disturbing of any shade 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

INSPECTION COPY Chas. D. Johnson Signature of owner By George E. Rogers  
L. D. Weeks

4-5-39

Permit No. 39/766

Location 1239 Congress St.

Owner George M. Rogers

Date of permit 6/7/39

Notif. closing-in \_\_\_\_\_

Inspn. closing-in \_\_\_\_\_

Final Notif. \_\_\_\_\_

Final Inspn. 6/24/39

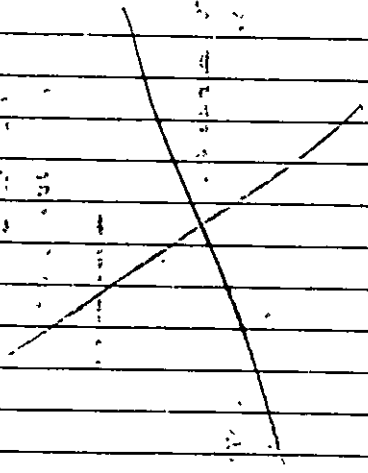
Cert. of Occupancy issued None

NOTES

6/14/39 - Work not started

C.R.S.

6/24/39 - Work done







(B) LIMITED BUSINESS ZONE  
APPLICATION FOR PERMIT

PERMIT ISSUED

Class of Building or Type of Structure Third Class

Permit No. 0754  
JUN 6 1939

Portland, Maine, June 6, 1939

To: INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to ~~erect~~ alter ~~install~~ the following building structure ~~equipment~~ in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 1239 Congress Street Within Fire Limits? NO Dist. No. \_\_\_\_\_  
 Owner's or Lessee's name and address George K. Rogers, 1239 Congress St. Telephone \_\_\_\_\_  
 Contractor's name and address L. W. Weeks, 5 Johnson St. Telephone 4-5709  
 Architect \_\_\_\_\_ Plans filed NO No. of sheets \_\_\_\_\_  
 Proposed use of building Dwelling house No. families 2  
 Other buildings on same lot garage  
 Estimated cost \$ 15. Fee \$ .25

Description of Present Building to be Altered

Material wood No. stories 2 1/2 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Last use Dwelling house No. families 2

General Description of New Work

To provide concrete piers under existing two story open rear piazza in place of existing wood posts

NOTIFICATION BEFORE LAYING  
OR CLOSING-IN IS WAIVED.  
CERTIFICATE OF OCCUPANCY  
REQUIREMENT IS WAIVED

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.

Details of New Work

Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ Height average grade to top of plate \_\_\_\_\_  
 Height average grade to highest point of roof \_\_\_\_\_  
 To be erected on solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
 Material of foundation concrete piers 6" OC Thickness, top 8x8 bottom 12x12 cellar \_\_\_\_\_  
 Material of underpinning \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_  
 Kind of Roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
 No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_  
 Kind of heat \_\_\_\_\_ Type of fuel \_\_\_\_\_ Is gas fitting involved? \_\_\_\_\_  
 Framing Lumber—Kind \_\_\_\_\_ ressed or Full Size? \_\_\_\_\_  
 Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_  
 Material columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max on centers \_\_\_\_\_  
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bring girders to floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.  
 Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_  
 On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_  
 Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_  
 If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

If a Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accom \_\_\_\_\_  
 Total number commercial cars to be accommodated \_\_\_\_\_  
 Will automobile repairing be done other than minor repairs to cars habitually stored in proposed building? \_\_\_\_\_

Miscellaneous

Will above work require removal or disturbing of any shade 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? yes

Signature of owner. By George K. Rogers  
L. W. Weeks

INSPECTION COPY

Permit No. 39/754

Location 1239 Congress St.

Owner George P. Porges

Date of permit 6/6/39

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn. 6/13/39

Cert. of Occupancy Issued None

NOTES

5/13/39 - Work about completed - A.G.

No.	Date	Inspector	Remarks
1	6/6/39		
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APPL  
Class of Building or

PERMIT No. 15542  
Third Class

Portland, Maine, August 19, 1937

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to erect alter in tall the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 1229 Congress Street Ward 8 Within Fire Limits? No Dist. No. \_\_\_\_\_  
 Owner's or Lessee's name and address George K. Rogers, 1229 Congress Street Telephone \_\_\_\_\_  
 Contractor's name and address L. C. Weeks, 5 Johnson Street Telephone 4-5703  
 Architect \_\_\_\_\_ Plans filed \_\_\_\_\_ No. of sheets \_\_\_\_\_  
 Proposed use of building Dwelling No. families 2  
 Other buildings on same lot 2 car garage  
 Estimated cost \$ 400.00 Fee \$ .75  
 Description of Present Building to be Altered  
 Material Wood No. stories 2 1/2 Heat \_\_\_\_\_ Style of roof Hip Roofing \_\_\_\_\_  
 Last use Dwelling No. families 2

General Description of New Work

To build 24' dormer window on easterly side of roof and finish off two new rooms in attic. Floor timbers 2x8-16" o.c. At least 5' to lot line.

CERTIFICATE OF OCCUPANCY  
REQUIREMENT IS WAIVED

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.

Perlock

Details of New Work

Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ Height average grade to top of plate \_\_\_\_\_  
 Height average grade to highest point of roof \_\_\_\_\_  
 To be erected on solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
 Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_  
 Material of underpinning \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_  
 Kind of Roof shed Rise per foot 4" Roof covering Asphalt shingles Glass 70"  
 No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_  
 Kind of heat \_\_\_\_\_ Type of fuel \_\_\_\_\_ Is gas fitting involved? \_\_\_\_\_  
 Corner posts \_\_\_\_\_ Sills \_\_\_\_\_ Girt or ledger board? \_\_\_\_\_ Size \_\_\_\_\_  
 Material columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Girders 6x8 or larger. Bridging in every floor and flat roof span over 8 feet. Sills and corner posts all one piece in cross section.  
 Joists and rafters: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 2x8  
 On centers: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 16"  
 Maximum span: 1st floor \_\_\_\_\_, 2nd \_\_\_\_\_, 3rd \_\_\_\_\_, roof 12'  
 If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

If a Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_  
 Total 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 above work require removal or disturbing of any shade 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? Yes

INSPECTION COPY

Signature of owner George K. Rogers

By Herbert C. Walker

8 Permit No. 37/1242

Location 1239 Congress Street

Owner George K. Rogers

Date of permit 8/16/37

Notif. closing-in

Inspu. closing-in

Final Notif.

Final Inspu. 1/18/38

Cert. of Occupancy issued None

NOTES

8/16/37 Check on the ground shows at least 6' to lat line

acc

8/25/37 Framing well along. A.C.P. J

1/18/38 Work completed & closed in without inspection - A.C.P.



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

X

# APPLICATION FOR PERMIT TO BUILD A PRIVATE GARAGE

Portland, Me., August 28, 1924 19

To THE  
INSPECTOR OF BUILDINGS

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

(See 1237-2nd Congress Street)

Location ..... r 1179 Congress Street Fire Districts ..... no ..... Ward ..... 8

Name of owner is? ..... Annie M O'Hare ..... Address ..... 1179 Congress St

Name of mechanic is? ..... Martin S O'Hare ..... Address ..... " " " "

Proposes occupancy of building (purpose)? ..... Private garage for ..... two cars only, and no space to be lot.

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? ... 18ft

No. of stories? ..... 1

No. of feet in height from the mean grade of street to the highest part of the roof? ... 12ft

Floor to be? ... concrete

Will the roof be flat, pitch, mansard, or hip? ... pitch ..... Material of roofing? asphalt

Will there be a chimney? ... no ..... Will the flues be lined? ..... No 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

Has any person acting for you previously applied for a permit to build a private garage? ... no

Other particulars .....

.....

.....

.....

.....

Estimated Cost, .....

\$ 600.

Signature of owner or authorized representative,

*Martin S. O'Hare*  
Address, 1179 Congress St  
Telephone 4501 W



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

## APPLICATION FOR PERMIT TO BUILD

(3D CLASS BUILDING)

Portland Me., September 18, 1918 19

To THE  
INSPECTOR OF BUILDINGS:

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

Location 7 Whitney Avenue (Du 1237-1241 Congress Street) Wd. 8

Name of owner is? F. A. Stoddard Address 7 Whitney Avenue

Name of mechanic is? Owner " \_\_\_\_\_

Name of architect is? \_\_\_\_\_ " \_\_\_\_\_

Proposed occupancy of building (purpose)? garage (private)

If a dwelling or tenement house, for how many families? \_\_\_\_\_

Are there to be stores in lower story? \_\_\_\_\_ No. \_\_\_\_\_

Size of lot, No. of feet front? 80ft; No. of feet rear? \_\_\_\_\_; No. of feet deep? 55 ft

Size of building, No. of feet front? 18ft; No. of feet rear? \_\_\_\_\_; No. of feet deep? 20ft

No. of stories, front? 1; rear? \_\_\_\_\_

No. of feet in height from the mean grade of street to the highest part of the roof? 16 ft

Distance from lot lines, front? 23ft feet; side? 32 feet; side? 1 feet; rear? 1 feet

Firestop to be used? Sides and roof to be covered with slate surface asphalt

Will the building be erected on solid or filled land? \_\_\_\_\_

Will the foundation be laid on earth, rock, or piles? \_\_\_\_\_

If on piles, No. of rows? \_\_\_\_\_ distance on centres? \_\_\_\_\_ length of? \_\_\_\_\_

Diameter, top of? \_\_\_\_\_ diameter, bottom of? \_\_\_\_\_

Size of posts? \_\_\_\_\_

" girts? \_\_\_\_\_

" floor timbers? 1st floor gravel, 2d \_\_\_\_\_, 3d \_\_\_\_\_, 4th \_\_\_\_\_

O. C. " " " " \_\_\_\_\_, " \_\_\_\_\_, " \_\_\_\_\_, " \_\_\_\_\_

Span " " " " \_\_\_\_\_, " \_\_\_\_\_, " \_\_\_\_\_, " \_\_\_\_\_

Braces, how put in? \_\_\_\_\_

Building, how framed? \_\_\_\_\_

Material of foundation? posts thickness of? \_\_\_\_\_ laid with mortar? \_\_\_\_\_

Underpinning, material of? \_\_\_\_\_ height of? \_\_\_\_\_ thickness of? \_\_\_\_\_

Will the roof be flat, pitch, mansard, or hip? double pitch Material of roofing? asphalt

Will the building be heated by steam, furnaces, stoves or grates? none Will the flues be lined? \_\_\_\_\_

Will the building conform to the requirements of the law? yes

No. of brick walls? \_\_\_\_\_ and where placed? \_\_\_\_\_

Means of egress? \_\_\_\_\_

PERMIT MUST BE RECEIVED BEFORE BEGINNING WORK.

Plans must be submitted in duplicate, one set to be filed with the Department and the duplicate set thereof (bearing the approval of the Inspector of Buildings) shall be kept on the work and exhibited on demand.

If the building is to be occupied as a Tenement House, give the following particulars:

What is the height of cellar or basement? \_\_\_\_\_

What will be the clear height of first story? \_\_\_\_\_ second? \_\_\_\_\_ third? \_\_\_\_\_

State what means of egress is to be provided? \_\_\_\_\_

Scuttle and stepladder to roof? \_\_\_\_\_

Estimated Cost,  
\$ 75.00

Signature of owner or authorized representative,

Address,

F. A. Stoddard  
7 Whitney Ave.

Plans submitted? \_\_\_\_\_

Received by? \_\_\_\_\_