

1428-1442 CONGRESS STREET



SHAW-WALKER

102031-ENG-101-1000

CITY OF PORTLAND, MAINE
BUILDING & INSPECTION SERVICES

Date March 30, 1982

To: San Aceto & Co.
contractor

376 Warren Avenue

With relation to permit applied for to demolish a 1 story dwelling, 1 family

at (address) 1428 Congress St. belonging to

(owner) Rod Lowell-Owner Pratt Abbott It is unlawful to commence de-
molition work until a permit has been issued from this department.
Forest Avenue

Section 6 of the Ordinance for rodent and vermin control provides, "It shall be unlawful to demolish a building or structure unless provision is made for rodent and vermin eradication. No permit for the demolition of a building or structure shall be issued by the Building and Inspection Services Department until and unless provisions for rodent and vermin eradication have been carried out under supervision of a pest control operator registered with the Health Department."

The building permit for demolition cannot be issued until the provisions of this section have been satisfied. It is the obligation of owner or demolition contractor or both to take up with the Health Department the matter of complying with this section, being prepared to inform that department what registered pest control operator is to be employed.

Very truly yours,

NOTICE - PER MUNICIPAL CODE
A PERMIT TO DEMOLISH OR REMOVE A
STRUCTURE SHALL EXPIRE THIRTY (30)
DAYS AFTER THE DATE OF ISSUANCE.

P. Samuel Hoffses
Chief of Inspection Services

Health Department comments: NO EVIDENCE OF CURRENT

VERMIN ACTIVITY - OLD MOUSE ACTIVITY

Copies to: NOTED - SHOULD BE NO PROBLEM (MIGRATORY)

- 3/31 SCULL
- 2 - Health - Environ. (Mr. Vandaloski)
 - 1 - Health - (Mr. Noyes)
 - 1 - Public Works
 - 1 - Fire Dept.

BUILDING INSPECTIONS
CITY OF PORTLAND, MAINE
DEPARTMENT OF URBAN DEVELOPMENT
DEMOLITION APPLICATION

Samuel Clark hereby requests
permission to demolish
beginning on the following date: 3-31-82
at: 1428 Congress

The contractors are hereby required to notify and meet the following
departments on the site of proposed demolition.

UTILITY APPROVAL:

Central Maine Power Co.
Line Dept. 772-7411 Hamilton TCA Date 3-30-82
New England Telephone Co.
Mr. Jones 797-1195/797-1943 Paul Gray TCA Date 3-30-82
Northern Utilities, Inc.
Mr. Gorey 797-8002 ext. 42 Mr. Gorey TCA Date 3-30-82
Portland Water District
Dispatcher 774-5961 ext. 31 George TCA Date 3-30-82
Public Cable TV
Mr. Smith/Mr. DesRochers DesRochers TCA Date 3-30-82
775-3431

CITY OF PORTLAND:

Sewer Division 463
797-5302/775-5451 ext. 470 McLennan TCA Date 3-30-82
Sidewalk Division 470
Public Wks. ext. 482/489 Vining TCA Date 3-30-82
Traffic Division
775-5451 ext. 468/469 Hobbs TCA Date 3-30-82
Fire Alarm
Mr. Allen 775-6361 ext. 321 Allen TCA Date 3-30-82
Forestry
~~Keith Jones~~ ANN PRIMES 773-2921 ext. 33 TCA Date _____

Have contacted ALL the above Utility companies and/or City Departments
for locations of Utilities and they have signed this sheet.

Signature: Samuel Clark Date 3-30-82

IF AN EMERGENCY, THE DATE OF THE EMERGENCY: _____

APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION PORTLAND, MAINE March 30, 1982

PERMIT ISSUED

APR 1 1982

CITY of PORTLAND

To the CHIEF OF BUILDING & INSPECTION SERVICE, 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 1428 Congress Street

1. Owner's name and address Rod Lowell - Pratt Abbott - Owner Fire District #1 ☐ #2 ☐

2. Lessee's name and address Telephone

3. Contractor's name and address Samuel Aceto - 376 Warren Ave. Telephone 797-6761

& Company No. of sheets

Proposed use of building No. families

Last use single family dwelling No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated contractual cost \$ Appeal Fees \$

FIELD INSPECTOR - Mr. [Signature] Base Fee 25.00

Late Fee

TOTAL \$

To demolish 1 story, single family dwelling
utilities called. Not used as residence.

Stamp of Special Conditions

Sent to Health Dept 3-31-82
Sent to Health Dept 3-31-82

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

DETAILS OF NEW WORK

Is any plumbing involved in this work? 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 every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor 2nd 3rd roof

On centers: 1st floor 2nd 3rd roof

Maximum span: 1st floor 2nd 3rd roof

If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: DATE MISCELLANEOUS

BUILDING INSPECTION— PLAN EXAMINER Will work require disturbing of any tree on a public street?

ZONING Will there be in charge of the above work a person competent

BUILDING CODE: to see that the State and City requirements pertaining thereto

Fire Dept.: are observed?

Health Dept.: Others:

Signature of Applicant [Signature] Phone # same

Type Name of above Samuel Aceto for 1 ☐ 2 ☐ 3 ☒ 4 ☐

Aceto & Company Other

and Address

(5) Mr. [Signature]

FIELD INSPECTOR'S COPY

APPLICANT'S COPY

OFFICE FILE COPY

Permit No 82/190

Location 128 (original) 11

Owner Good (small)

Date of permit 3-30-82

Approved 4-1-82

Dwelling

Garage

Miscellaneous

Demolition dwelling

NOTES

... .. has been
demolished & site is now

1426-1442 Conc St.
& Westland Ave -16

November 25, 1981

Mr. Roderick L. Lowell
1443 Westbrook St.
Portland, Me. 04102

Dear Mr. Lowell:

An inquiry has been made concerning the possible rental or lease of the vacant land at the above named location for temporary storage of two sand trucks for snow plowing use on your land by another individual. I assure that this arrangement has been planned with your approval of such rental or lease agreement.

It also seems appropriate to state that this arrangement is a temporary permit for not more than two commercial vehicles to be stored there and such practice will be terminated on or about April 1, 1982 when the winter weather disappears.

Sincerely,

Sam Hoffses
Chief of Inspection Services

PSH:k



APPLICATION FOR PERMIT
DEPARTMENT OF BUILDING INSPECTIONS SERVICES
ELECTRICAL INSTALLATIONS

Date 8-24, 19 78
Receipt and Permit number A12885

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:

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

LOCATION OF WORK: 1428 Congress St.

OWNER'S NAME: R. J. Allen ADDRESS: same

OUTLETS: (number of)

Lights _____
Receptacles _____
Switches _____
Plug, old _____ (number of feet) _____
TOTAL _____

FEES

FIXTURES: (number of)

Incandescent _____
Fluorescent _____ (Do not include strip fluorescent)
TOTAL _____
Strip Fluorescent, in feet _____

SERVICES:

Permanent, total amperes _____
Temporary _____

METERS: (number of)

MOTORS: (number of)

Fractional _____
1 HP or over _____

RESIDENTIAL HEATING:

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

COMMERCIAL OR INDUSTRIAL HEATING:

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

APPLIANCES: (number of)

Ranges	_____	Water Heaters	_____
Cook Tops	_____	Disposals	_____
Wall Ovens	_____	Dishwashers	_____
Dryers	_____	Compactors	_____
Fans	_____	Others (denote)	_____
TOTAL	_____		_____

MISCELLANEOUS: (number of)

Branch Panels	_____	
Transformers	_____	
Air Conditioners	_____	
Signs	_____	
Fire/Burglar Alarms	_____	
Circus, Fairs, etc.	_____	
Alterations to wires	<u>x</u>	<u>3.00</u>
Repairs after fire	_____	
Heavy Duty, 220v outlets	_____	
Emergency Lights, battery	_____	
Emergency Generators	_____	

INSTALLATION FEE DUE: _____

FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT DOUBLE FEE DUE: _____

FOR REMOVAL OF A "STOP ORDER" (304-16.b) _____

FOR PERFORMING WORK WITHOUT A PERMIT (304-9) _____

TOTAL AMOUNT DUE: 3.00

INSPECTION:

Will be ready on _____, 19____; or Will Call x

CONTRACTOR'S NAME: Milliken Bros.

ADDRESS: 474 Riverside Indust. Park.

TEL.: 797-8375

MASTER LICENSE NO.: On File

SIGNATURE OF CONTRACTOR:

LIMITED LICENSE NO.: _____

INSPECTOR'S COPY

Milliken Bros.
Jim Healey

Permit Number

Location

Owner

Date of Permit

Final Inspection

By Inspector

Permit Application Register Page No. - 1 -

INSPECTIONS: Service _____ by _____

Service called in _____

Closing-in 0.2676 by _____

PROGRESS INSPECTIONS: 8-28-77 _____

CODE
COMPLIANCE
COMPLETED

f. 28-78

DATE:

REMARKS:

OK Herbert

Nov. 2, 1976

1428 Congress Street

Reginald J. Allen
79 Mosher Road
South Windham, Maine 04082

Please note that Section 1308.1 of the B.O.C.A. Building Code states, "When a building has been demolished and building operations have not been projected or approved, the vacant lot shall be filled, graded and maintained in conformity to the established street grades at curb level. The lot shall be maintained free from the accumulation of rubbish, and all other unsafe or hazardous conditions which endanger the life or health of the public."

Although the building at the above named location has been removed several months ago, the area has not been cleaned of all left over debris. Please bear in mind that this lot must be cleaned of the remaining debris in order to be considered a completed demolition job. The removal of this debris should be completed as soon as possible.

Very truly yours,

Marge Schmuckal
Building Inspector

MS/ht

FROM THE DESK OF
ROBERT LOVELL BROWN

9: AM. Tues Jan 22.

²⁷
Called Mrs. Allen -
Expects to clean up
balcony in a week or so -
will take good note
Browns of Barn -

CITY OF PORTLAND, MAINE
BUILDING & INSPECTION SERVICES

Date April 30, 1976

To: R. J. Allen
79 Mosher Rd. S. Windham

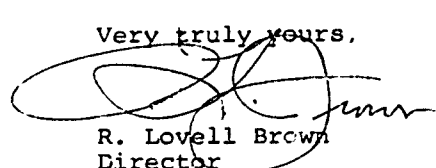
With relation to permit applied for to demolish a barn
at 1428 Congress St. belonging to

R. J. Allen, it is unlawful to
commence demolition work until a permit has been issued from this
department.

Section 6 of the Ordinance for rodent and vermin control provides,
"It shall be unlawful to demolish a building or structure unless
provision is made for rodent and vermin eradication. No permit for
the demolition of a building or structure shall be issued by the
Building and Inspection Services Department until and unless provi-
sions for rodent and vermin eradication have been carried out under
supervision of a pest control operator registered with the Health
Department."

The building permit for demolition cannot be issued until the
provisions of this section have been satisfied. It is the obligation
of owner or demolition contractor or both to comply with the Health
Department the matter of complying with this section, being prepared
to inform that department what registered pest control operator is
to be employed.

Very truly yours,


R. Lovell Brown
Director

05/03/76

Health Department comments: No Evidence of rodent
infestation

Copies to:
Original - - - - - applicant
Health (Mr. Blair) - - - - - 2
Health (Mr. Noyes) - - - - - 1
Public Works - - - - - 1
Fire Department - - - - - 1
John James



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION PORTLAND MAINE, APRIL 30, 1976

PERMIT ISSUED

MAY 7 1976

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 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 1428 Congress St. I.R. District #1 ☐ #2 ☐
1. Owner's name and address R. J. Allen 79 Mosher Rd. S. Van Han Telephone 892-8059
2. Lessee's name and address Telephone
3. Contractor's name and address owner Telephone
4. Architect Specifications Plans No. of sheets
Proposed use of building No. families
1st use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ 25,000 Fee \$ 25.00

FIELD INSPECTOR—Mr. GENERAL DESCRIPTION

This application is for: @ 775-5451 Ext. 204 To demolish a barn approx 60'x50' -
Dwelling Electricity has been disconnected—no other
Garage utilities
Masonry Bldg
Metal Bldg
Alterations
Demolitions
Change of Use
Other

Stamp of Special Conditions

Sent to Health Dept. 4-30-76
Rec'd from Health Dept. 5-3-76

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? Connections 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

MISCELLANEOUS

BUILDING INSPECTION—PLAN EXAMINER

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

ZONING:

BUILDING CODE: O.K. E.D. 5/3/76

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

Fire Dept. 5/3/76

Health Dept. 5/3/76

Others:

Signature of Applicant

Type Name of above

R. J. Allen

Phone

Other

and Address

FIELD INSPECTOR'S COPY

NOTES

5-10-76 Done ✓
 6-9-76 Work about 1/2 done ✓
 6-21-76 Called Mr. Allen mother. Told
 he the time would be up the 12th to call
 if it was not all done - Allen ✓
 6-16-76 Down to first floor ✓
 6-22-76 - Same ✓
 6-23-76 - Same ✓
 7-7-76 - Done ✓
 7-31-76 - Same ✓

8-20-76 - Work on removing material ✓

9-10-76 still removing left over
 debris from demo - M.C.
 11-1-76 doesn't look like any
 more removed - M.C.
 12-20-77 pretty well cleaned
 up - M.C.

Permit No. 76/330
 Location 1728 Congress St
 Owner P. Allen
 Date of permit 5-3-76
 Approved

1428 Congress St.

August 17, 1976

Mr. R. J. Allen
79 Mosher Rd.
South Windham, Maine

c.c. Corporation Counsel
c.c. Mike Wing

Dear Mr. Allen:

The demolition and follow up of clean up of the barn at above address has not been completed in accordance with the Standards required by the Building Code.

The demolition permit was issued on May 3, 1976. Adequate time has been given and extended for completion.

Unless the premises is cleaned of debris by August 23, 1976, I shall proceed to legal action.

Very truly yours,

R. Lovell Brown
Director

FROM THE DESK OF
ROBERT LOVELL BROWN

Nelson —

WILL YOU VERIFY THIS
& GET BACK TO ME —
SO WE CAN WRITE IT
OUT TO THEM —

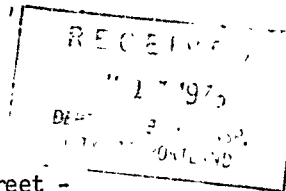
Mon. DIC

— ACCORDING TO THE
REPORT OF 1952 THE
MACHINE SHOD USE WAS
LIMITED TO 3 YRS

None

CITY OF FORTLAND, MAINE
MEMORANDUM

TO: Corporation Counsel
FROM: George A. Flaherty, Assistant City Manager
SUBJECT: Barn located at 1428-1442 Congress Street -



DATE: 7/15/75

Attached, please find a memorandum addressed to me from R. Lovell Brown, Director of Building and Inspection services.

Would you please place this item and title search so that the normal demolition procedure and public hearing can be scheduled.

[Signature]
George A. Flaherty
Assistant City Manager

GAF/jd
cc:- R. Lovell Brown, Building Inspection Director
attachment

CITY OF PORTLAND, MAINE
MEMORANDUM

to: C. V. Fish, Jr., Assistant City Manager
from: R. Lovell Brown, Director, Building & Inspection Services
subject: 138A - 1402 Congress St., cor. or 4-16 Westland Ave.
Assessors & 197-B-8, 9, 10, 11, 12 & 13 - para

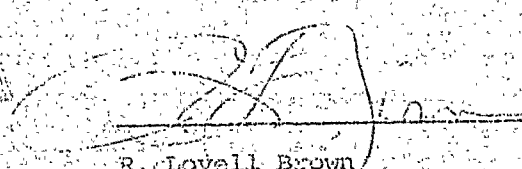
DATE: 5-19-75

This old barn is in poor structural condition. Its use for some time was a non-conforming use. It has been vacant now for about a year and due to its poor condition should be put on the demolition list as soon as possible.

The following deficiencies were observed through this office.

1. Front wall facing Westland Ave. has bulged out.
2. Right side has bulged out.
3. Sills on right side and in front have rotted out.
4. Roof and right side has sagged.
5. Left side of roof has a large hole.

The non-conforming use of this building has expired to the best of our knowledge as it has been empty of that use it has had for at least a year. Per Zoning - Sec. 302.17.F


R. Lovell Brown
Director

RLB:k

Donald Megathlin, Jr.-Planning Director

8/23/72

R. Lovell Brown-Director of Building & Inspection Services

Farnsworth Associates - Memo August 10, 1972

I have checked the files on the barn on the corner of Westlawn Avenue and Congress Street as per your memo and we have inspected it and find that there is no machine shop there but that Farnsworth are brokers for heavy equipment and that there is no stock in trade.

In accordance with the requirements of the Zoning Ordinance, everything is in conformity.

R. Lovell Brown - Director

RLB/c

CITY OF PORTLAND, MAINE
MEMORANDUM

TO: R. Lovell Brown, Building Inspector
FROM: Donald E. Megathlin, Jr., Planning Director
SUBJECT: Farnsworth Associates

DATE:
August 10, 1972

At yesterday's Planning Board meeting, I was informed that Farnsworth Associates, located at the corner of Westland Avenue and Congress Street are utilizing a red barn for a machine shop and storage of equipment. Since this is located within the R-5 zone, this type of use is prohibited. I have not checked with the owner, but thought you should investigate this matter. I would appreciate a response so I can inform the members of the Planning Board.

Don

Donald E. Megathlin, Jr.

cc: Kenneth Cadigan

*8-14-72 No machine shop here
Farnsworth - broker for heavy equipment
no stock in trade
Allen - same - storage*

PERMIT TO INSTALL PLUMBING

Date Issued **July 2, 1969**

Portland Plumbing Inspector
By **ERNOLD R GOODWIN**

App. First Insp.
Date **7/7/69**
By **WALTER H. WALLACE**
SEPTIC PLUMBING INSPECTION

App. Final Insp.
Date **7/8/69**
By **WALTER H. WALLACE**
SEPTIC PLUMBING INSPECTION

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

Address **2423 Congress Street** PERMIT NUMBER **1005**
 Installation For **1 fam.**
 Owner of Bldg. **H. J. Allen**
 Owner's Address **43 Myrtle St.**
 Plumber **H. Cunningham Co. 363 Cumberland Ave.** Date **7-2-69**

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

Building and Inspection Services Dept.: Plumbing Inspection

See 1432-1436

PERMIT TO INSTALL PLUMBING

Date Issued **1/3/67**

Portland Plumbing Inspector
By **ERNOLD R GOODWIN**

App. First Insp.
Date **JAN 4 - 1967**
By **ERNOLD R. GOODWIN**
CHIEF PLUMBING INSPECTOR

App. Final Insp.
Date **JAN 4 - 1967**
By **ERNOLD R. GOODWIN**
CHIEF PLUMBING INSPECTOR

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

Address **8 Eastland Avenue** PERMIT NUMBER **10036**
 Installation For **Garage**
 Owner of Bldg. **H. J. Allen**
 Owner's Address **43 Myrtle Street**
 Plumber **Willie W. Johnson** Date **1/3/67**

NEW	REPL.	NO.	FEE
		SINKS	
		LAVATORIES	
1		TOILETS	
		BATH TUBS	1 2.00
		SHOWERS	
		DRAINS FLOOR SURFACE	
		HOT WATER TANKS	
		TANKLESS WATER HEATERS	
		GARBAGE DISPOSALS	
		SEPTIC TANKS	
1		HOUSE SEWERS	1 2.00
		ROOF LEADERS	
		AUTOMATIC WASHERS	
		DISHWASHERS	
		OTHER	
TOTAL			4.00

Building and Inspection Services Dept.: Plumbing Inspection

City of Portland, Maine
Board of Appeals
—ZONING—

September 1, 8, 1955

*Sustained
Conditionally
9/16/55*

To the Board of Appeals:

Your appellant, R. J. Allen, who is the owner of property at 1428 Congress Street (8 Westland Ave.) 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.

Building permit to authorize installation of 1-1000 gallon fuel oil tank and 1-550 gallon gasoline storage tank underground and installation of two electric pumps and necessary piping is not allowable under the Zoning Ordinance because the use of the building on these premises as a garage for heavy self-propelled equipment is not an allowable use in the Residence C Zone where this property is located, such a use having been specifically granted by the Board of Appeals. However, the tanks and pumps now intended to be a part of that use and occupying another part of the land than granted by the Board of Appeals are not presently allowable uses.

The facts and conditions which make this exception legally permissible are as follows:

An exception is necessary in this case to permit reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance.

Marion E. Allen
Appellant

After public hearing held on the 16th day of September, 1955, the Board of Appeals finds that an exception is necessary in this case to grant reasonable use of property where necessary to avoid confiscation and can be granted without substantially departing from the intent and purpose of the Zoning Ordinance, provided, however, that there shall be no public sale of fuel oil or gasoline on the premises.

It is, therefore, determined that exception to the Zoning Ordinance may be permitted in this specific case, provided, however, that there shall be no public sale of fuel oil or gasoline on the premises.

Edward J. Colby
John W. Lake
William H. Wilson
Harry K. Torrey
Sam B. Whelan
BOARD OF APPEALS

DATE: SEPTEMBER 16, 1955

HEARING ON APPEAL UNDER THE ZONING ORDINANCE OF R. J. ALLEN

AT 1428 CONGRESS STREET

Public hearing on above appeal was held before the BOARD OF APPEALS

Board of Appeals

VOTE

Municipal Officers

	Yes	No
EDWARD T. COLLEY	(✓)	()
BEN B. WILSON	(✓)	()
JOHN W. LAKE	(✓)	()
WILLIAM H. O'BRIEN	(✓)	()
HARRY K. TORREY	(✓)	()
	()	()
	()	()
	()	()
	()	()

PROVIDED, HOWEVER, THAT THERE SHALL BE
NO PUBLIC SALE OF FUEL OIL OR GASOLINE
ON THE PREMISES.

Record of Hearing:

OPPOSED:

MR. MICHAEL J. ELLIS, 23 Westland Avenue

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

September 13, 1955

Mr. R. J. Allen
45 Myrtle Street
Portland, Maine

Re: 1428 Congress Street

Dear Mr. Allen:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, September 16, 1955, at 10:30 a. m. to hear your appeal at the above address under the Zoning Ordinance.

Please be present or be represented at this hearing in support of this appeal.

BOARD OF APPEALS
Edward T. Colley
Chairman

K

CITY OF PORTLAND, MAINE
BOARD OF APPEALS

September 6, 1955

TO THE BOARD OF APPEALS:

The Board of Appeals will hold a public hearing in the Council Chamber at City Hall, Portland, Maine, on Friday, September 16, 1955, at 10:30 a. m. to hear the appeal of R. J. Allen requesting an exception to the Zoning Ordinance to authorize the installation of one 1000 gallon fuel oil tank and one 550 gallon gasoline storage tank underground and installation of two electric pumps and necessary piping at 1428 Congress St. (2 Westland Avenue).

This permit is presently not issuable under the Zoning Ordinance because the use of the building on these premises as a garage for heavy self-propelled equipment is not an allowable use in the Residence C Zone where this property is located, such a use having been specifically granted by the Board of Appeals. However, the tanks and pumps now intended to be a part of that use and occupying another part of the land then granted by the Board of Appeals are not presently allowable uses.

This appeal is taken under Section 18F of the Zoning Ordinance which provides that the Board of Appeals, by unanimous vote of its members, may permit exceptions in specific cases so as to grant reasonable use of property where necessary to avoid confiscation and without substantially departing from the intent and purpose of the Zoning Ordinance, subject always to the rule that said Board shall give due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 300 feet of the premises in question as required by law.

BOARD OF APPEALS

Edward T. Colley

Chairman

Apprais of C. J. Allen at 1428 Congress St. (55)

✓ Congress St. 1393-1491
1358-1490

✓ Westland Ave. 1-41
4-42
Assessors Lot Nos. 197-E-1, 197-G-1, 23 ✓

Hobart St. Assessors Lot Nos. 197-E-2 to 12 ✓
197-G-4+5 ✓
197-F-1 to 6 ✓
196-B-13 to 18 ✓

Ainsworth St. Assessors Lot Nos. 197-C-2 to 8 ✓
197-B-13 ✓

Boody St. Entire

Appt of R. J. Allen at 1425 Congress St.
Congress St.

18

- 1391-1395 Anthony L. & Orlando Valermico, 1393 Congress St.
1397-1403 John J. & Elizabeth C. Fidge, 1399 Congress St.
1405-1409 Stanley J. & Anna E. Jankowski } 1415 Congress St.
1411-1415 + John A. & Anna M. Muteckis }
1421 Bernard F. Filio, 1421 Congress St.
1423-1425 Virginia P. Jacobs, 1423 Congress St.
1427-1437 Peter J. Spanac, 1427 Congress St.
1439-1441 Edith M. Spence, 1455 Congress St.
1443-1461
1463-1477 Central Mc. Power Co. NR Augusta, Maine
R 1463-1477 Mary C. Brady, 4 Brady St.
1479-1485 Sup (C.M.P.C.)
1354-1358 Mahel S. Davis Serv. W. Philip J. Milliken, 188 Middle St.
R 1354-1376
1360-1364 " "
1366-1376 " "
1382-1388 " "
R 1382-1414 " "
1390-1394 " "
1396-1414 " "
1420-1422
1424-1426 Lucy Margaret Haines, 1424 Congress St.
1426 1/2 Reginald J. & Marion E. Allen, 43 Myrtle St.
1428-1442
1448-1474 Cumberland Securities Corp., 443 Congress St.

Westland Ave.
1-7 William F. & Annie Boyd, 15 Anson St.
9-13 Donald M. Boyd, 7 Westland Ave.
15-21 Margaret A. Ellis, 23 Westland Ave.
23 " "
25-31 " "
33-41 " "
4-12 Sup (Allen)
14 Archie McCandless, 128 Park Ave.
16-20 Joseph J. & Rose A. Ellis NR, 87 St. Ann's Circle East
So. Portland

Westland Ave (cont)

22-24 George A. Eneplin, 24 Westland Ave.
 26-30 Frederick X. E. Shannons, 28 Westland Ave.
 32-34 Dup (Boyd)
 40-42 Dup (Boyd)
 197-E-1-2 Dup (CMPC)
 197-G-12 Dup (CMPC)

Hebant St

197-G-4,5,6 Dup (CMPC)
 197-F-1-8 A. St. Chapman Land Co. Box 26
 197-E-3 to 12 "
 196-B-13 to 19 Mary A. Sloan, Scarborough, Me.

Ainsworth St.

197-C-1-23 Arthur J. Lancaster Mfg, 26 St. Concord, Dover, N.H.
 197-C-4-5 Clifford J. Temple, Rt 251, Westborough,
 197-C-6-7 Margaret M. Michael, 1133 Longwood St.
 197-C-8 Dup (Boyd)

Boody St.

194-C-26 Dup (Jankowski)
 194-C-33 Dup (Boody)
 194-C-27 Dup (Boody)
 194-C-34 Dup (Boody)



(RC) RESIDENCE ZONE - C
APPLICATION FOR PERMIT
Class of Building or Type of Structure Installation
Portland, Maine, Aug. 23, 1955

PERMIT ISSUED
0168
AUG 23 1955

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to ~~construct~~ install the following ~~building~~ equipment 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 called 1428 Congress St.
8 Westland Ave. Within Fire Limits? no Dist. No. 4-3886
Owner's name and address R. J. Allen, 43 Myrtle St. Telephone 4-3886
Lessee's name and address _____ Telephone _____
Contractor's name and address Mutual Oil Co., Inc., 59 Main St., So. Portland Telephone _____
Architect _____ Specifications _____ Plans yes No. of sheets 1
Proposed use of building _____ No. families _____
Last use _____ No. families _____
Material _____ No. stories _____ Flat _____ Style of roof _____ Roofing _____
Other building on same lot _____
Estimated cost \$ _____ Fee \$ 1.00

General Description of New Work

To install 1-1000 fuel oil storage tank and 1-550 gallon gasoline storage tank.
Tanks to be for private use. Tanks will be 3' underground and painted with asphaltum. Tanks will bear the Underwriters label. Both tanks will have 1 1/2" vent pipe. Two electric pumps to be installed. 1 1/2" piping from tank to pump.

Permit Issued with Memo

Permit Issued with Letter

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 Mutual Oil Co., Inc.**

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 _____
Material of underpinning _____ Height _____ Thickness _____
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 _____ Girt or ledger board? _____ Size _____
Girders _____ Size _____ 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? _____

APPROVED:

Mary J. Mills
CHIEF OF FIRE DEPT.

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

R. J. Allen
Mutual Oil Co., Inc.

Signature of owner by:

Scott T. Mills

INSPECTION COPY

C16-254-1M-Mark

Permit No. 5511656
Location 2 Sheppard Ave
Owner G. G. Wilson
Date of permit 9/22/55
Notif closing-in
Insprn. closing-in
Final Notif.
Final Insprn.
Cert. of Occupancy issued
Staking Out Notice
Form Check Notice

NOTES

10-6-55
V

Property of:
R. J. Allen,
8 Westland Ave.,
Portland, Mo.

Permit Sought by:
Mutual Oil Co., Inc.,
59 Main St.,
So. Portland.

Congress St

Property line

4' x 8' x 5' 550 Gals.
1000 Gals.
2' x 10' x 6' Metal Siding

Pumps { 0.15

Garage

House

Westland Ave 150'

House

25'

30'

24'

80'

50'

150'