

CITY OF PORTLAND, MAINE MEMORANDUM

To: Robert W. Donoven, Asst. Corporation Counsel

DATE: July 16, 1965

FROM: Albert J. Sears, Building Inspection Director SUBJECT: Zoning violation at 68-70 Avalon Road

Attached herewith are complaint papers involving zoning violation at this location by Toby Nappi, who lives at 10-14 Range Street. At the time of the last inspection, which was yesterday, he was hauling in gravel apparently with a view to making conditions better for storing his contractor's equipment. At this time there were a car and truck, both unlicenged, two tractors, a trailer, snew plow, and digger on the property.

Mr. Mappi is well aware of the zoning restrictions on the property, but is defiant and, as far as I am able to determine, has no intention of complying with the law. I recommend that legal action be taken against him for violation of the Zoning Ordinance.

Albert J. Sears

AJS:m

Attachments



RS RESIDENCE ZONE CITY OF PORTLAND, MAINE DEPARTMENT OF BUILDING INSPECTION COMPLAINT

INSPECTION COPY

COMPLAINT NO. _ 63/41

Date Received June 18, 1963

Location 68-70 Avalon Road Use of Building	
Owner's name and address Toby Namoi, 12 Range Street Telephone	
Tenant's name and address Telephone	
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Description: Several Junk dars on property -	
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TOWN OF Portland BUILDING	PERMIT APPLICATION MAP #LOT#
ay part which applies to job. Proper plans must accompany form.	For Official Use Only
licia DeRice	Date Oct 10, 1989 Subdivision: Yes / No
	Table
Flintlack Lane Falmouth 04105	Bldg CodeBlock
ONSTRUCTION 68 Avalon Street	Time Limit Permit Expiration Public Ownership Public Public
Owner SUBCONTRACTORS: 797-4183	Estimated Cost 45,770 Public Ownership Public Value Strycture OS Hinor minor Site 50,00 Private Fee
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	3. Type Coilings:
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LY IF THE NUMBER OF UNITS WILL CHANGE	3. Roof Covering Type
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dation Size: OCI 25	1952 Pumbing: 1. Approval of soil test if required Yes No
•	2. No. of Tubs or Showers
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Sira: Sills must be anchored."	4. No. of Lavatories 5. No. of Other Fixtures Swimming Pools:
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385 CONGRESS STREET PORTLAND, MAINE 04101 (207) 874-8300

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF INSPECTION SERVICES DIVISION

October 24, 1989

RE: 68 Avalon St., Portland, Maine

Felicia DeRice 2 Flintlock Lane Falmouth, Maine 04105

Dear Sir:

Your application to construct a duplex dwelling has been reviewed and a permit is herewith issued subject to the following requirements:

No certificate of occupancy can be issued until all requirements of this letter is met.

Site Plan Requirements

Public Works Approved S. Harris Inspection Services Approved W. Giroux

Building Code Requirements

 Please read and implement items 1, 2, 6, 7, 9, 10, and 11 of the attached building permit report.

2. A one hour fire separation construction shall be installed between the dwelling units.

If you have any questions regarding these requirements, please do not hesitate to contact this office.

Sincerely,

P. Samuel Hoffses Chief of Inspection Services

/e1.

cc: Steve Harris, Public Works Department Paul Niehoff, Public Works Department

BUILDING PERMIT REPORT

		1
•	Addre	ss: G& Avalor ST. DATE: 24/OcT/8
•	REASO	My FOR PERMIT: To CONSTRUCT A Duplex
	<u>a</u>	welling UniT-
	BUILD	ING OWNER: Felicia DeRice.
	CONTR	ACTOR:
À	Permi	T APPLICANT:
	APPRO	VKD: *(*) *C *7*(M)/DENIEM:
	CONDI	TION OF APPROVAL OR DENIAL:
,	£1.)	Before concrete for foundation is placed, approvals from Public Works and Inspection Services must be obtained.
7	(2.)	Precaution must be taken to protect concrete from freezing.
		All vertical openings shall be enclosed with construction having a fire rating of at least one(1) hour, including fire doors with self-closers.
<i>:</i>	4.)	Each apartment shall have access to two(2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
	5.)	The boiler shall be protected by enclosing with one(1) hour fire rated construction including fire doors and ceiling, or by placing over the boiler, two(2) residential sprinkler heads supplied from the domestic water.
*	<u></u>	Every sleeping room below the fourth story in buildings of Use Groups R and I-l shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside opening without the use of separate tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches (1118 mm) above the floor. All egress or rescue windows from sleeping rooms must have minimum net clear openings of 5.7 square feet (0.53m²). The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm),
X	7.)	In addition to any automatic fire alarm system required by Sections 1018.3.5, a minimum of one single station smoke detector shall be installed in each guest room, suite of sleeping area in buildings of Use Groups R-1 and I-1 and in dwe ling units in the immediate vicinity of the bedrooms in buildings of Use Group R-2 or R-3. When retuated, the detector shall provide a plarm suitable to warn the occupants within the individual unit (see Section 1717.3.1).

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In buildings of Usa Groups R-1 and R-2 which have basements, an additional smoke detector shall be installed in the basement. In buildings of Use Group R-3, smoke detectors shall be required on every story of the dwelling unit, including basements.

In dwelling units with split levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level provided the lower level is less than one full story below the upper level. If there is an intervening door between the adjacent levels, a smoke detector shall be installed on both levels.

All detectors shall be installed in an approved location. Where more than one detector is required to be installed within an individual dwelling unit, the detectors shall be wired in such a manner that the actuation of one clarm will actuate all the alarms in the individual

- 8.) Private garages located beneath rooms in buildings of Use Groups R-1, R-2, R-3 or I-1 shall have walls, partitions, floors and ceilings separating the garage space from the adjacent interior spaces constructed of not less than 1-hour fireresistance rating. Attached private garages shall be completely separated from the adjacent interior spaces and the attic area by means of 1/2-inch gypsum board or equivalent applied to the garage side. The sills of all door openings between the garage and adjacent interior spaces shall be raised not less than 4 inches (102 mm) above the garage floor. The door opening protectives shall be 1 3/4-inch solid core wood doors or approved equivalent.
- 9.) A guardrail system located near the open side of deck or elevated walking surfaces shall be constructed. Guards in buildings of Use Group R-3 shall be not less than 36 inches in height. Open guards shall have intermediate rails, balusters or other construction such that a sphere with a diameter of 6 inches cannot pass through any
- 10.) Section 25-135 of the Municipal Code for the City of Portland states: "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year.
- Human Rights Act, Title 5 M.R.S.A. refers, shall obtain a certification from a design professional that the plans of the facility meet the standards of construction required by this section. Prior to commencing construction of the facility, the builder shall submit the certification to the Division of Enspection Services.

Chief of Inspection Fervices

11/16/88

Sincerelly



389 CONGRESS STREET PORTLAND, MAINE 04101 (207) 874-8300

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF INSPECTION SERVICES DIVISION

November 20, 1989

Andrew and Julie DeRice 2 Flintlock Lane Falmouth, ME 04105

RE: AVALON ROAD DUPLEXES

Dear Mr. and Mrs. DeRice:

This will confirm that the City has decided to lift the stop work orders placed upon the two duplexes currently under construction on Avalon Road. This action is being taken upon the advice of Corporation Counsel and is based solely upon the fact that you have commenced construction in reliance upon the building permits previously issued by this office. This action should not be viewed as a precedent for any future development. In addition, all future applications for building permits must include a street address for the property to be developed.

Sincerely) yours,

P. Samuel hoffses Chief of Building Inspections

PSH:lab

CC: Joseph E. Gray, Director of Planning and Urban Development William Giroux, Zoning Enforcement Administrator David A. Lourie, Corporation Counsel Natalie L. Burns, Associate Corporation Counsel James Lemieux, Esq.



389 CONGRESS STREET PORTLAND, MAINE 04101 (207) 874-8300

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

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P. SAMUEL HOFFSES, CHIEF INSPECTION SERVICES DIVISION

November 16,1989

RE: 68 Avalon Road

Ms. Fclici. DeRice 2 Flintrock Lane Falmouth, Maine 04105

Dear Ms. DeRice,

On November 16, 1989, a Work Stop Order was placed on your job for apparent violations of the following sections in the Land Use Code.

14.493 (subdivisions)
14.495 (subdivision approval)
14.117.1a (single and two family ings; except that development of two (2, or more two family dwe and on contiguous lots within any two year period, shall be subject to review as specified under the provisions of 14-117(1) b.v. if such lots were under single ownership at any time within the two year period immediately prior to development of the first such lot.

Please contact we if you have any questions regarding this action.

Sincerely

P. Samuel Hoffses Chief of Inspection Services

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cc: Joseph E. Glay, Jr., Director of Planning and Urban Development Alexander Jaegerman, Chief Planner Natalie Burns, Associate Corporation Counsel William Giroux, Zoning Codes Enforcement Officer Merle Leary, Code Enforcement Officer

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P. Samuel Hoffses 11/1	6/89 58 Avalor Road
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Ms. Felicia DeRice	P 792 457 141
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Falmouth, Maine 04105	Cortified COD
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Sam Hoffses Lots 14 & 15	Avelon Road 11-16/89
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CITY OF PORTLAND, MAINE SITE PLAN REVIEW

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389 CONGRESS STREET PORTLAND, MAINE 04101 (207) 874-8300

P. SAMUEL HOFFSES, CHIEF
INSPECTION SERVICES DIVISION

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DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

October 24, 1989

RE: 68 Avalon St., Portland, Maine

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Sincerely

P. Samuel Hoffses Chief of Inspection Services

/e1

cc: Steve Harris, Public Works Department Paul Niehoff, Public Works Department

DO DED TWO PERMIT REWORT
ADDRESS: G& A Valor 57. DATE: 24/Oct/89
REASON FOR PERMIT: TO CONSTRUCT A DUPLEX
dwelling UniT-
BUILDING OWNER: Felicia DePlice.
CONTRACTOR: / /
PERMIT APPLICANT:
APPROVED: 4 x x 7 x 9 10 / DENTED:
CONDITION OF APPROVAL OR DENIAL:
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5.) The boiler shall be protected by enclosing with one(1) hour fire rated construction including fire doors and ceiling, or by placing over the boiler, two(2) residential sprinkler heads supplied from the domestic water.
R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside opening without the use of separate tools. Where windows are provided as a means of egress or rescue, they shall have a sill height not more than 44 inches (1118 mm) above the floor. All egress or rescue windows from sleeping rooms must have minimum net clear openings of 5.7 square feet (0.53m ²). The minimum net clear opening height dimension shall be 24 inches (610 mm). The minimum net clear opening width dimension shall be 20 inches (508 mm).
7.) In addition to any automatic fire alarm system required by Sections 1018.3.5, a minimum of one single station smoke detector shall be installed in each guest room, suite of sleeping area in buildings of Use Groups R-1 and I-1 and in dwelling units in the immediate vicinity of the bedrooms in buildings of Use Group R-2 or R-3. When actuated, the detector shall provide an alarm suitable to warn the occupants within the individual unit (see Section 1717.3.1).

In buildings of Use Groups R-1 and R-2 which have basements, an additional smoke detector shall be installed in the basement. In buildings of U e Group R-3, smoke detectors shall be required on every story of the d elling unit, including basements.

In dwelling units with split levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level provided the lower level is less than one full story below the upper level. If "there is an intervening door between the adjacent levels, a smoke detector shall be installed on both levels.

All detectors shall be installed in an approved location. Where more than one detector is required to be installed within an individual dwelling unit, the detectors shall be wired in such a manner that the actuation of one alarm will actuate all the alarms in the individual unit.

- 8.) Private garager located beneath rooms in buildings of Use Groups R-1, R-2, R-3 or I-1 shall have walls, partitions, floors and ceilings separating the garage space from the adjacent interior spaces constructed of not less than 1-hour fireresistance rating. Attached private garages shall be completely separated from the adjacent interior spaces and the attic area by means of 1/2-inch gypsum board or equivalent applic to the garage side. The sills of all door openings between the garage and adjacent interior spaces shall be raised not less than 4 inches (102 mm) above the garage floor. The door opening protectives shall be 1 3/4-inch solid core word doors or approved equivalent.
- 9.) A guardrail system located near the open side of deck or elevated walking surfaces shall be constructed. Guards in buildings of Use Group R-3 shall be not less than 36 inches in height. Open guards shall have intermediate rails, balusters or other construction such that a sphere with a diameter of 6 inches cannot pass through any opening.
- 10.) Section 25-135 of the Municipal Code for the City of Portland states: "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year.
- 11.) The builder of a facility to which Section 4594-C of the Maine State Human Rights Act, Title 5 M.R.S.A. refers, shall obtain a certification from a design professional that the plans of the facility meet the standards of construction required by this section. Prior to commencing construction of the facility, the builder shall submit the certification to the Division of Inspection Services.

Samuel Hotte Chief of Inspection Services

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Sincerelly

11/16/88

Applicant: Dericl

Address: Dericl

Addr

CHECK LIST AGAINST ZONTNG ORDINANCE

Date - 10 - 24 - 89

Zone Location - R-5

Interior or corner lot
Use - duplex

Sewage Disposal - Buty
Rear Yards - 49'

Side Yards - 13'b" + 13'b" | 13' reg.

Front Yards - 35' 70' reg.

Frojections - first steps - 5x 5' no more than 35 #

Frojections - first steps - 5x 5' no more than 35 #

Height - 2 blory

Lot Area - 6000 # 0K

Building Area - 26 x 35' 0K

Area per Family - half

Width of Lot - 60'

Lot Frontage - 60'

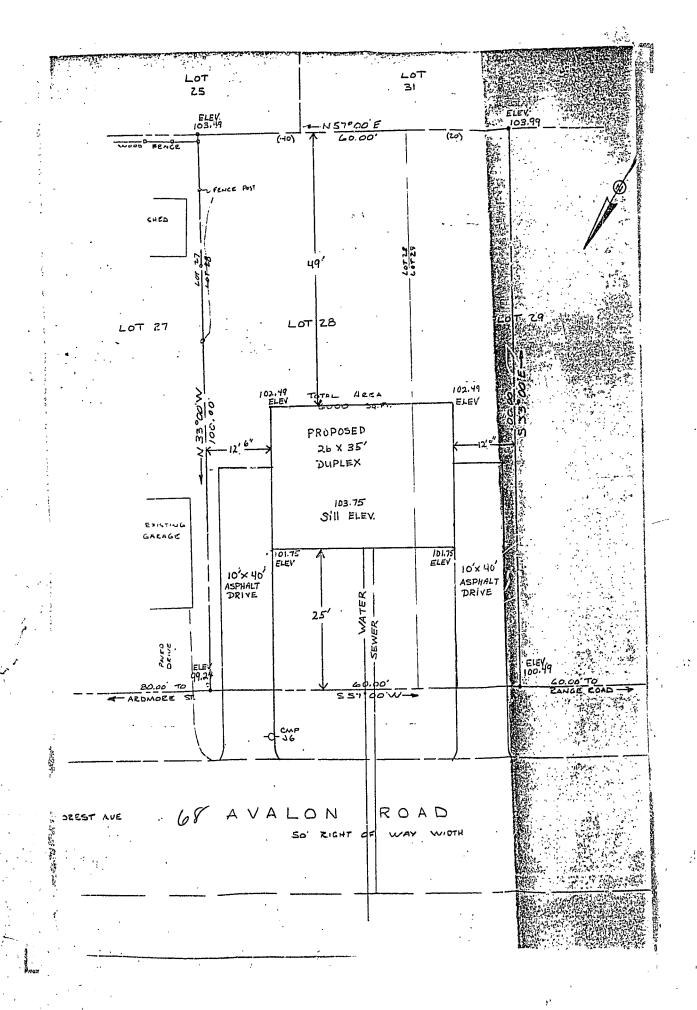
Off-street Parking - 3 COM

Loading Bays - N/A

Site Plan Shoreland Zoning Flood Plains -

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July 1



CHARLES (

10,463

PLUMBING APPLICATIO	The same of the same				epartment of Human Services Division of Health Engineering (207) 289-3826				
	7119								
Subdivision Lot # 28- HVH/011 18 8.		Caution: Permit Required							
PROPERTY OWNERS NAME	· · · · · · · · · · · · · · · · · · ·	FURTLAND		· ven	3765 TOWN COPY				
ast: DeRICE First: M.R.		Pormit Anna from 16 19	<u>O</u>]****	\$	FEE Charged				
Applicant CAP/on W. BA/	Swin Ti	Local Plumbing inspector Signat	we	 , L.	P.I. #				
ailing Address of 1/9 SU TRAN + ST Owner/Applicant (If Different) Port/19 1/9 Suc		Avenue numbered as an account of a second	*						
Owner/Applicant Statement	of my				Required				
I certify that the information submitted is correct to the best knowledge and understand that any latisfication is reason for Plumbing Inspector to depy a Populi	the Local		Pluniby	Sules.	d above and found it to be in				
Signature of Owner/Applicant	1/1/6/1 Dáie	Local Plumbing inst	of spin	ature	Date Approved				
	C E E	IT INFORMATION		inggang					
	141 -1 744 1475	ture To Be Served:		Dlumi	oing To Be Installed By:				
	Je Or Struc	igie 10 De Seiveu.			TER PLUMBER				
1. 1 NEW PLUMBING 1. □ SINGLE					BURNERMAN				
2. LI RELOCATED		OR MOBILE HOME	3. E	MFG	'D. HOUSING DEALER/MECHANIC				
PLUMBING 3. Ø MULTIP 4. □ OTHER					LIC UTILITY EMPLOYEE				
UAN 1 7 1990	· GFECIF1 .				PERTY OWNER				
OAH 1			LICI	ENSE /	1.1.8.8.6				
Hook-Up & Piping Reic eation Maximum of 1 Hook-Up	Number	Column 2 Type of Fixture	Nu	mber	Column 1 Type of Fixture				
HOOK-UP: to public sewer in	2	Hosehibb / Sillcock		2	Bathtub (and Shower)				
those cases where the connection is not regulated and inspected by the local Sanitary District.		Floor Drain			Shower (Separate)				
OR		Urinal	1.	2	Sink				
HOOK-UP: to an existing subsurface wastewater disposal system.		Drinking Fountain		, 2	Wash Basin				
wasiewater disposal system.	1 . 1	Indirect Waste		2	Water Closet (Toilet)				
		Water Treatment Softener, Filter, e	etc.	2	Clothes Washer				
PIPING RELOCATION: of sanitary		Grease/Oil Separator		2	Dish Washer				
Ilnes, drains, and piping without new fixtures.		Dental Cuspidor		2	Garbaire Disposal				
,		Bidet			Laundry Tub				
Number cf Hook-Ups & Relocations		Other:		2	Water Heater				
S . Hook-Up & Relocation Fee		Fixtures (Subtotal) Column 2		16	Fixtures (Subtotal)				
			-	. 2	Fixtures Subtotal) (Subtotal)				
par principal des para para para para para para para par	MAIT FFF C	OUEDIU E		18	A TOTAL FATURES AS A				
	ALCULATI	CHEDULE NG FEE	\$	46.	Fixture Fee				
			-> s		Hook-Up & Relocation Fee				
Page 1 of 1					Permit Fee: C (Total)				
HHE-211 Rev. 9/86			S		HENNORPHEN STREET OF THE PROPERTY OF THE PROPE				

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389 CONGRESS STREET PORTLAND, MAINE 04101 (207) 874-8300

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

P. SAMUEL HOFFSES, CHIEF INSPECTION SERVICES DIVISION

November 16,1989

RE: 68 Avalon Road

Ms. Felicia DeRice 2 Flintlock Lane Falmouth, Maine 04105

Dear Ms. DeRice,

On November 16, 1989, a Work Stop Order was placed on your job for apparent violations of the following sections in the Land Use Code.

14.493 (subdivisions)

14.495 (subdivision approval)

14.117.1a (single and two family dwellings; except that development of two (2) or more two family dwellings on contiguous lots within any two year period, shall be subject to review as specified under the provisions of 14-117(1) b.v. if such lots were under single ownership at any time within the two year period immediately prior to development of the first such lot. development of the first such lot.

Please contact me ir you have any questions regarding this action.

Sincerely

P. Samuel Hoffses
Chief of Inspection Services

.cc: Joseph E. Gray, Jr., Director of Planning and Urban Development Alexander Jaegerman, Chief Planner Natalie Burns, Associate Corporation Counsel William Giroux, Zoning Codes Enforcement Officer Merle Leary, Code Enforcement Officer